



PLANNING AND DEVELOPMENT COMMITTEE

Date: Tuesday, 4 August 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 30 June 2026.
3 - 32
- 3. 25/00908/FP - SOUTH CAR PARK PRIMETT ROAD STEVENAGE**
To consider the change of use of the public car park to a rental vehicle premises (Sui Generis), the erection of modular rental vehicle office and rental vehicle wash bay and associated works (including lighting and resurfacing).
33 - 48
- 4. 26/00216/FP - 33 JULIANS ROAD STEVENAGE**
To consider the change of use of 6no. dwellinghouses (Use Class C3) to 6no. five-bedroom Houses of Multiple Occupation for up to six-persons each Use Class C4).
49 - 74
- 5. 25/00854/FPM - 40-60 QUEENSWAY TOWN CENTRE STEVENAGE**
To consider the change of use of part of ground floor retail unit (46 Queensway), second floor office units (40-56 Queensway) from Use Class (E) to residential Use Class (C3) to provide 26 flats. Extension of two additional storeys and creation of new bin store and rear access with associated external alterations.
75 - 110
- 6. 26/00424/FPH - 4 NURSERY COTTAGE SYMONDS GREEN LANE**
To consider an application for a first floor rear extension over existing single storey rear extension.
111 - 120

- 7. 26/00408/FP - KING GEORGE V PLAYING FIELDS**
To consider an application for the installation of a Space Age Musical Pavilion.
121 - 130
- 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.
131 - 138
- 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.
139 - 140
- 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: Tuesday, 30 June 2026

Time: 6.30pm

Place: Council Chamber

Present: Councillors: Claire Parris (Chair) , Nigel Williams (Vice-Chair) , Julie Ashley-Wren, Forhad Chowdhury, Peter Clark, Rob Henry, Doug Bainbridge CC, Jody Hanafin, Jackie Hollywell, Peter Wilkins and Myla Arceno

Start / End Time: Start Time: 6.30pm
End Time: 9.10pm

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

Apologies for absence were received from Councillor Lynda Guy and Ellie Plater.

Councillor Myla Arceno and Nazmin Chowdhury were present as substitutes.

2 **MINUTES FROM THE PREVIOUS MEETING**

The Minutes of the meeting of the Planning and Development Committee held on 4 June 2026 were agreed as a correct record and signed by the Chair.

3 **26/00281/FP - 46 BASILS ROAD**

The Team Leader presented the report, which sought planning permission for the conversion and extension of the existing mixed-use property at 46 Basils Road to provide six one-bedroom flats.

The presentation outlined the proposed extensions and alterations, the proposed parking and cycle provision, and the key planning considerations that had informed the recommendation for approval.

The Chair introduced Mrs Maria Da Silva-Gane, a local resident to address the Committee.

The Committee heard from the objector, speaking on behalf of local residents, who raised concerns regarding the scale of the development, the standard of accommodation for future occupiers, parking provision, the impact on neighbouring amenity, bin storage arrangements and the effect on the character of the surrounding area.

The Chair introduced Kenya Sharland, a consultant on behalf of the applicant address the Committee.

The applicant's consultant addressed the Committee in support of the proposal, advising that the scheme had been amended following discussions with officers and that it would bring a vacant building back into use whilst delivering six much-needed homes in a sustainable location.

The Chair thanked both speakers for their contributions and invited the Team Leader to respond.

It was noted that although the proposal did not achieve the recommended back-to-back separation distance or provide the full parking standard, officers considered the impacts to be acceptable having regard to the proposed mitigation measures, including obscure glazing to protect neighbouring privacy, and the site's sustainable location close to local services and public transport.

Members were also advised of two late representations received from Hertfordshire Fire and Rescue Service and the local MP, both of which had been considered by officers.

During questions to officers, Members sought clarification on the proposed obscure glazing and its impact on future occupiers, the parking provision and residents' eligibility for parking permits, the height and design of the proposed extension, waste management arrangements, the consultation undertaken with neighbouring residents and the relevance of a restrictive covenant.

Members also expressed concerns regarding the standard of accommodation for future occupiers, parking pressures, the impact of the proposal on the character of the area and the potential precedent that could be set by approving the development.

To allow proceedings to move to a debate a proposer and seconder was required. Councillor Bainbridge moved, and Councillor Ashley-Wren seconded the report, and the motion was declared **CARRIED**.

During the debate, Members expressed concerns that the proposal represented an overdevelopment of the site. Concern was raised regarding the outlook and natural light available to two of the proposed units, together with the limited separation distances and potential overlooking of neighbouring properties.

Members also discussed the proposed parking provision, noting that only four off-street parking spaces were proposed to serve the six flats. Concerns were expressed that the surrounding streets already experienced significant parking pressures and that the development would be likely to exacerbate these issues, including within the existing residents' permit parking area.

It was noted that the proposal would have an adverse impact on the character of the Old Town and result in the loss of a family-sized dwellings.

Whilst Members recognised the need to deliver smaller homes and acknowledged the importance of increasing the supply of flats within the Borough, it was suggested

that a revised scheme with fewer units, providing a better standard of accommodation and improved parking provision, may have been more acceptable.

It was **RESOLVED** that application 26/00281/FP be **REFUSED**, and following consultation with the Director of Planning and Regulation and the Chair, the reasons for refusal are as follows:

The proposed development, by virtue of its proximity to the rear elevation of No. 47 Grove Road fails to meet the required minimum back to back separation distance as laid out in the Local Plan (2019), Local Plan Partial Review (2024) (Reg19) and the Council's Design Guide (2025) and would therefore likely result in an unacceptable outlook and loss of privacy for the occupiers of this property. The obscure glazed windows to the rear first and second floor flats designed to mitigate this loss of amenity to the neighbour would result in an unacceptable outlook for the future occupiers of the flats and a poor living environment. The proposal is therefore contrary to Policies GD1 and SP8 of the Stevenage Borough Local Plan 2011 - 2031 (2019) and the Local Plan Partial Review (2024) (Reg19), the Council's Design Guide SPD (2025), National Planning Policy Framework (2024) and the Planning Practice Guidance (2014).

The proposed development fails to demonstrate that adequate provision for car parking can be provided on site for 6 one bedroom flats, in accordance with the Council's standards set out in the Parking Provision SPD (2025). The proposal would likely result in vehicles from the development parking on-street, in an area already constrained by parking of vehicles on the public highway, which exacerbate existing on-street parking issues to the detriment of highway safety and neighbour amenity. The proposed development is therefore contrary to Policy IT5 of the Stevenage Borough Local Plan 2011 - 2031 (2019) and the Local Plan Partial Review (2024) (Reg19), the Council's Parking Provision SPD (2025), the National Planning Policy Framework (2024) and Planning Practice Guidance (2014).

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

The Committee received a presentation on the application seeking planning permission for the installation of a memorial bronze sculpture of Nala the Cat within the public realm adjacent to the Gordon Craig Theatre and the pedestrian route to Stevenage Railway Station.

Members were advised that the sculpture would commemorate Nala, who had become well known locally through her regular presence at the railway station and following on social media.

The sculpture had been designed to resemble Nala sitting on a station ticket barrier and would be privately funded through crowdfunding.

Members were advised that the proposed location had been selected to avoid obstructing pedestrian movement and would remain fully accessible for wheelchair users and those with pushchairs.

In response to questions, officers confirmed that, should the site be redeveloped in the future, the sculpture could be removed without damage and relocated, with any future location to be determined at the appropriate time.

To allow proceedings to move to a debate a proposer and seconder was required. Councillor Williams moved, and Councillor Chowdhury seconded the report, and the motion was declared **CARRIED**.

During the debate, Members expressed unanimous support for the proposal, recognising Nala the Cat as a well-known and much-loved part of the Stevenage community.

Members commented on Nala's positive impact on commuters and visitors to the railway station, noting that she had become widely recognised both locally and beyond the Borough.

The Committee welcomed the proposal as a tribute to Nala's legacy and agreed that the sculpture would provide a lasting memorial for residents and visitors alike. No objections were raised during the debate, and the Committee proceeded to vote on the application.

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: Sculpture Design Proposal by Ben Twiston-Davies.

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

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. DC88 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>.

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

The Committee considered the application for a public stag sculpture to be installed southeast of St. Nicholas School, on land owned by Stevenage Borough Council.

Officers confirmed the proposal was policy compliant, causing no loss of designated open space, and offered a positive visual and cultural contribution to the area.

The sculpture, formed in durable corten steel, was assessed as acceptable in scale, design, and siting, with a 4.5-metre offset from the Millennium Avenue path ensuring no obstruction or highway impact. It was noted that the installation would generate no noise, odour, lighting, or amenity harm.

The Committee acknowledged comments regarding durability, climbing, vandalism, and littering, alongside the artist's assurances that the proportions discouraged

climbing and that the prominent location reduced antisocial behaviour risks.

Members raised questions on safety measures, potential fencing, costs, and funding and officers advised that funding derived from a separate public art fund and that any protective features could be considered outside the planning process. The cultural relevance of the stag to Stevenage and Hertfordshire was recognised.

To allow proceedings to move to a debate a proposer and seconder was required. Councillor Chowdhury moved, and Councillor Ashley-Wren seconded the report, and the motion was declared **CARRIED**.

It was noted that members had expressed strong support for the proposed piece of public art, commenting on its design and being well suited to its setting.

Members stated that art, music and culture were important contributors to wellbeing and quality of life, and they welcomed efforts to enhance the town's appearance.

Some concern was raised regarding the likelihood of children attempting to climb the structure despite its height, and it was acknowledged that the artist would be holding a public conversation at Junction 7 in early July, which members were encouraged to attend.

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.

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

Proposed stag sculpture; Site Location Plan; Block 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.

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

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

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

4 Party Wall etc. Act 1996

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

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

5 Biodiversity Net Gain

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

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

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

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

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

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

1. Development below the de minimis threshold, meaning development which:

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

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

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

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

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

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

The Committee considered the planning application for a Flight Trace sculpture, next to the Millennium Path and Monks Wood at Fairlands Valley Park.

Officers advised that the stainless-steel artwork, designed to trace the natural flight paths of local birds, was policy compliant and would not result in the loss of principal open space or harm neighbouring amenities. It was noted that it would have a reflective finish, and would produce no light or noise emissions.

Members questioned the abstract form, dimensions, and materials, and officers confirmed the structure's height range and its steel construction intended to integrate with the surrounding landscape.

To allow proceedings to move to a debate a proposer and seconder was required. Councillor Williams moved, and Councillor Arceno seconded the report, and the motion was declared **CARRIED**.

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.

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

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

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.

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

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- 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.

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

7 21/01283/FPM - NORTH CAR PARK

The Senior Planning Officer reported that the application was for a 10-storey residential block of flats proposed on the former car park site to the north of Six Hills House. The application had originally been received in 2021 and was previously considered by the Committee in December 2022, when Members resolved to grant planning permission subject to the completion of a Section 106 agreement securing financial contributions and a review mechanism to capture any uplift in profits for affordable housing.

It was noted that the matter had returned to Committee because the Section 106 process had stalled. The Officer confirmed that the development proposal itself had not changed since the 2022 resolution; only the financial contribution levels had been updated.

Officers provided photographs showing the current condition of the site, surrounding views, and the relationship with nearby features.

Officers also outlined the parking arrangements, including undercroft and two basement levels providing a total of 48 parking spaces.

The Chair introduced Gigi Dinut, a local resident to address the Committee.

The objector explained that the application contained unsafe defects, including drainage infrastructure located outside the red-line boundary, unenforceable off-site engineering works, and disabled parking bays that failed Equality Act safety requirements.

The speaker reported that the scheme caused heritage harm with no public benefit, offered no affordable housing, and relied on unconfirmed financial contributions despite County Council objections. It was further stated that determining the application shortly before adoption of the updated Local Plan and revised CIL risked shifting infrastructure costs onto local taxpayers.

The Chair thanked the speaker and invited the Senior Planning Officer to respond.

The Planning Officer explained that the drainage strategy for the application had originally been independently assessed and approved, with updated conditions later agreed following a late objection from the Lead Local Flood Authority.

Members were advised that the Education Authority had also withdrawn its objection after further legal advice confirmed that a review clause could be secured within the Section 106 agreement to capture any future uplift in profit for education contributions.

It was highlighted that the scheme before the committee was materially identical to that already approved in 2022, with the only change being the removal of financial contributions due to viability constraints. Officers reported that all technical matters including drainage, highways, amenity, ecology and archaeology had been fully assessed and found acceptable. It was noted that Historic England's current heritage objection conflicted with their previous acceptance of an implemented 2016 permission on the same site.

Members noted that the Council's housing delivery stood at 38% on target, triggering the presumption in favour of sustainable development. Officers concluded that although the development would cause less than substantial harm to the setting of the Six Hills Barrows, this harm was outweighed by the significant public benefits of delivering 94 new homes on a well-connected brownfield site.

Overall, the committee was advised that refusal on grounds not previously identified could be considered unreasonable, and that the established principle of development, combined with pressing housing need and policy support, weighed strongly in favour of granting permission.

Members questioned why an earlier permission granted a decade prior had not progressed, and officers explained that although initial works had begun, the site had subsequently changed ownership and a revised, taller scheme was later submitted, with delays arising from Section 106 negotiations.

Questions were raised regarding the absence of an updated heritage impact assessment, and officers advised that the applicant relied on the previously accepted assessment from the earlier permission.

Further discussion covered whether determination should wait for the adoption of the local plan, with officers cautioning that deliberate delay would conflict with national policy requiring timely decisions.

Members also sought clarification on viability deficits and Section 106 review mechanisms, and officers confirmed that viability reviews were standard practice and could secure future financial uplifts for both borough and county contributions if market conditions improved.

Questions were raised about existing traffic congestion near a key roundabout, and officers reported that the highway authority had reviewed the submitted transport assessment and concluded that any increase in trip generation would remain within acceptable limits and would not compromise highway safety.

At this juncture Councillor Ashley-Wren moved, and Councillor Hollywell seconded the report.

To allow proceedings to move to a debate a proposer and seconder was required. Councillor Ashley-Wren moved, and Councillor Hollywell seconded the report, and the motion was declared **CARRIED**.

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:-

- 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;
- 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;

- 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 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.
- 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.
- 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.
- 9 At least 50% of the residential units are to meet Category 2: Accessible and Adaptable dwellings.
- 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.

- 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 Iceni Projects Ltd dated January 2022 unless otherwise agreed in writing by the Local Planning Authority.
- 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.
- 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.
- 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.
- 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.
- 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.
- 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.
- 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.
- 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.
- 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.

- 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).
- 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.
- 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.
- 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.
- 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.
- 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.
- 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.

- 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.

- 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.
- 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.
- 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.

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 (Pyrus Communis), Fir Trees - Pines (Pinus), Hawthorne (Cretaeagus), 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>

8 **INFORMATION REPORT - DELEGATED DECISIONS**

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

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

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

10 **URGENT PART I BUSINESS**

There was no Urgent Part I Business.

11 **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.

12 **URGENT PART II BUSINESS**

There was no Urgent Part II Business.

CHAIR

Meeting: Planning and Development Committee **Agenda Item:** 4

Date: 4 August 2026

Lead Officer: Alex Robinson

Author: Thomas Frankland

Application: 25/00908/FP

Location: South Car Park, Primett Road, Stevenage

Proposal: Change of use of public car park to a rental vehicle premises (Sui Generis), the erection of modular rental vehicle office and rental vehicle wash bay and associated works (including lighting and resurfacing).

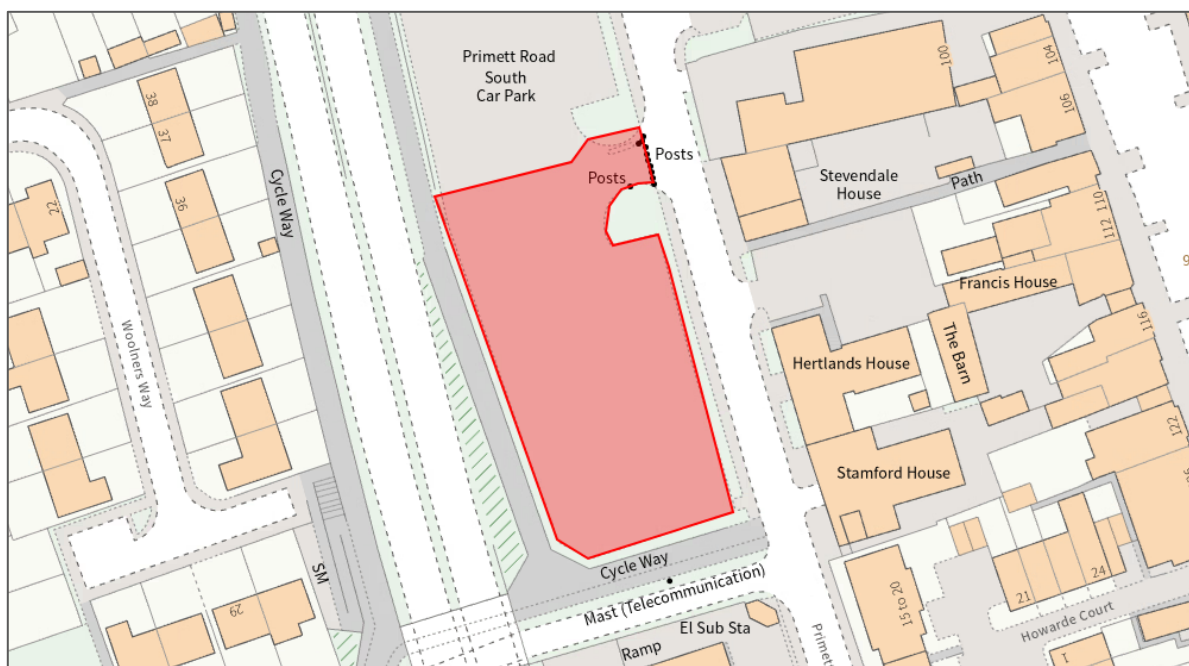
Drawings: PP-ERAC-STE-001; ERAC-STE-002; 0002 Rev P02; 00010; 251217.UK99.CSB.T22; ST-01; ST-02; ST-03;

Applicant: Enterprise Rent-A-Car UK LTD

Agent: Planning Prospects Ltd

Date Valid: 29 January 2026

Recommendation: Grant Planning Permission



1. INTRODUCTION

- 1.1. The site comprises the southern portion of the Primett Road South Car Park, which is located between Primett Road and Lytton Way on the western edge of Stevenage Old Town. It extends to roughly one quarter of a hectare, is largely flat, and is enclosed on three sides by a mixture of shrubs, semi-mature trees, metal railings and timber knee rail fencing.
- 1.2. The application seeks full planning permission for the change of use of the site to a vehicle rental facility, together with the erection of an associated office and vehicle wash bay. Vehicular access would be provided by bringing the existing redundant access back into use, with new static hoops and removable bollards installed to control access both to the site and to the remainder of the South Car Park.
- 1.3. The application was previously presented to the Planning & Development Committee at its meeting on 12 March 2026. There, the committee resolved to defer the application until it could be provided with sufficient information regarding the future impact of the proposed development on the surrounding area.
- 1.4. In particular, members raised concerns regarding the uncertainty of future impacts on parking in the area. Questions were raised about utilisation data for the council's Old Town car parks beyond the single months' worth of data that was presented at the meeting. It was considered that a car park impact assessment, including consideration of the effect on local businesses and existing investment in the area, would be required before any decision could be made.
- 1.5. The applicant has now supplied that impact assessment and the application is accordingly brought back before the committee for a decision.
- 1.6. This report is concerned solely with the new impact assessment, as well as any other new information that has arisen since the application was last presented to the committee, including changes to planning policy, consultation responses, and representations made by interested members of the public. It should be read alongside the agenda report and supplemental agenda for the 12 March 2026 meeting.

2. REPRESENTATIONS

- 2.1. The application was originally publicised by site notice, press advert and notification letter. The council received 73 letters of objection and 1 letter of support, which are summarised in the 12 March report and supplemental agenda.
- 2.2. Since receipt of the parking impact assessment, the application has undergone a further 21-day period of public consultation, publicised by notification letter.
- 2.3. 5 letters of objection were received during that period. The material issues raised in the new representations are summarised as follows:
 - The proposal will displace parking demand onto other Old Town car parks and surrounding streets. Existing demand already exceeds supply, as Austins and other Primett Road businesses use the short-stay car park for staff parking.
 - The impact assessment includes low-demand hours, aggregates the town centre car parks, ignores parking lost through the High Street ATF works, and in any case shows capacity was exceeded on around 36 occasions between August 2025 and March 2026.

- The assessment overstates the car club benefit, understates the parking demand from the Nexus development, and is over-optimistic about a future shift away from private car use.
- There is no assessment of impact on the Charter Fair or Driving Test Centre.
- Primett Road South is the closest and most convenient car park for visitors to the Old Town.
- Reduced parking undermines the recent public investment in the High Street and threatens the viability of the Old Town as a retail and social centre.
- The proposal conflicts with the council's policies encouraging cycling and public transport.
- The development is inappropriately located in a residential and retail area and would be better sited on the Gunnells Wood Industrial Estate.

2.4. Full copies of all representations are available to view on the council's website.

3. CONSULTATIONS

3.1. Consultation responses received prior to the 12 March meeting are summarised in the agenda report and supplemental agenda for that meeting.

3.2. A summary of the consultation responses received since that date is set out below. Full copies of all representations are available on the council's website.

3.3. Affinity Water

3.3.1. Affinity Water raises no objection to the proposed development but advises that the site is located within an Environment Agency defined groundwater Source Protection Zone (SPZ2) corresponding to its abstraction boreholes at Broomin Green, which serve public water supply.

3.3.2. It requests that an informative be attached to any permission advising that any works involving groundworks, such as foundations or drainage, will require a ground investigation to identify appropriate techniques and to avoid displacing any shallow contamination to a greater depth, which could impact the aquifer.

3.3.3. It further advises that construction and operation of the development should be undertaken in accordance with relevant British Standards and best management practices to reduce the risk of groundwater pollution. It is noted that construction works may exacerbate any existing pollution and that appropriate monitoring and remediation would be required should any pollution be found, with reference made to CIRIA publication C532.

3.3.4. Finally, noting that the site lies within a water stressed area, Affinity Water expects the development to include water efficient fixtures and fittings, and encourages measures such as rainwater harvesting and grey water recycling to reduce pressure on abstractions and the carbon emissions associated with water treatment.

3.4. Thames Water

3.4.1. No objection, subject to the developer following the sequential approach to the disposal of surface water.

3.5. HCC Highways (Local Highway Authority (LHA))

- 3.5.1. The LHA raises no objection to the proposed development. Having reviewed the amended application against relevant national and local transport policies, it identifies no material changes in respect of highways considerations, including access arrangements and trip generation, when compared with its previous assessment dated 20 February 2026.
- 3.5.2. It acknowledges that the applicant has provided additional supporting information but considers the adequacy of on-site parking provision to be a matter for the council in its capacity as local parking authority.
- 3.5.3. From a highways perspective, the proposal is regarded as limited in scale and is not expected to generate a significant increase in vehicle trips, such that no detrimental impact on the operation or safety of the local highway network is anticipated.

3.6. HCC SuDS (Lead Local Flood Authority (LLFA))

- 3.6.1. The LLFA raises no objection to the proposed development. It notes that the site is not at risk of flooding and that the applicant intends to utilise the existing connection to the Thames Water sewer.
- 3.6.2. Although the development would not alter the impermeable area of the site, the LLFA suggests that any opportunity to retrofit sustainable drainage systems (SuDS) be scoped and implemented so as to contribute to a reduction in flood risk within the wider catchment, and recommends that any additional planting be multifunctional, such as enhanced tree pits, bio-retention or filter strips.
- 3.6.3. It observes that no supporting calculations have been submitted to establish the current drainage capacity or discharge rate, and suggests that this exercise could be undertaken to demonstrate any betterment to water quality, quantity, amenity or biodiversity arising from retrofit SuDS.
- 3.6.4. Finally, the LLFA advises that all water from the vehicle wash bay must be treated as trade effluent connected to the foul sewer, and must not discharge to the public surface water sewer, with Thames Water able to comment further in that regard.

4. PLANNING POLICY CONTEXT

- 4.1.1. There has been a material change to the planning policy context since the application was last presented to the committee, in that the Stevenage Borough Local Plan Partial Update was adopted by the council on 22 July 2026.
- 4.1.2. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the development plan, which includes the local plan (as updated), unless material considerations indicate otherwise.
- 4.1.3. The 12 March report identifies the following policies as being relevant to the assessment of the application:
- Policy SP2
 - Policy SP13
 - Policy IT4
 - Policy IT5
 - Policy IT8
 - Policy GD1

- Policy FP1
- Policy FP2
- Policy FP7
- Policy NH10

4.1.4. Policies SP13, IT8, FP7 and NH10 were not updated as part of the local plan partial update and their wording remains entirely unchanged from the local plan as originally adopted in 2019. Policies SP2 and IT5 have been updated but the content of the updates is such that they have no bearing on the current application. Policies IT4 and GD1 have also been updated but these updates were dealt with in the 12 March report.

4.1.5. Policies FP1 and FP2 have been updated and have undergone further changes since the 12 March report on the advice of the planning inspector examining the partial update. These changes are explained in the relevant sections of this report.

5. MAIN ISSUES

5.1. Loss of Public Car Parking

5.1.1. The application was previously deferred by members due to concerns arising from the proposed loss of public car parking. The local plan policy which deals with this issue is Policy IT8, which says that planning permission will be granted for the loss of existing public car parking where:

- i) Existing spaces are replaced within or adjacent to the new development;
- ii) Replacement car parking provision is made within 200m of the key attractors currently served; or
- iii) It can be robustly evidenced that the parking is no longer required.

5.1.2. It remains the case that the proposal would not involve the provision of any replacement car parking. The degree of consistency between the proposal and Policy IT8 therefore depends on whether there is robust evidence that the 90 spaces proposed to be lost are no longer required.

5.1.3. The new parking impact assessment provided by the applicant is intended to act as that evidence. It includes the following:

- An analysis of utilisation data for the council's Old Town car parks from February 2025 to March 2026
- A review of other existing parking facilities in and around the Old Town, including both public facilities and private, non-residential premises
- An analysis of future local parking demand, including from the Nexus development
- A discussion of the potential benefits of car rental facilities and car sharing schemes in reducing parking demand

Car Park Utilisation Data

5.1.4. When the application was previously before the committee, the evidence before members comprised a single month's occupancy data for the council's Old Town car parks. The applicant's parking assessment is now supported by more than twelve months of occupancy data, covering the period from February 2025 to part-way through March 2026, for the three principal public car parks serving the Old Town: Primett Road South (190 spaces), Primett Road North (120 spaces) and Church Lane North (52 spaces), giving a combined capacity of 362 spaces. Under the proposal, that combined

capacity would reduce to 272 spaces, with a loss of 90 spaces from the Primett Road South car park.

- 5.1.5. The data shows occupancy of the car parks hour by hour. The existing capacity of 362 spaces was not exceeded at any time, and occupancy across the three car parks remained below the reduced capacity of 272 vehicles for 9,512 of the 9,611 hours covered by the data (i.e. 99% of the time). Utilisation is heaviest in the middle of the day, between approximately 10:00 and 15:00 on weekdays, with weekend occupancy significantly lower on average.
- 5.1.6. The data does show that occupancy exceeded 272 vehicles for 99 hours, spread across eight months from August 2025 onwards (an average of 12 hours per month). The maximum occupancy recorded across the three car parks during the period was 318 vehicles, which under the reduced capacity would represent a displacement of 46 vehicles at the busiest recorded point.
- 5.1.7. A number of representations contend that the aggregation of the three car parks masks the position at the car parks closest to the application site, given that the entirety of the capacity reduction falls on Primett Road South. Officers have therefore also considered the data for the two Primett Road car parks in isolation, which under the proposal would have a combined capacity of 220 spaces.
- 5.1.8. On this basis, the number of months in which capacity would have been exceeded is the same, although the number of hours of exceedance shows a modest increase to 156 hours. This means that the car parks remained below the level of occupancy necessary to accommodate the proposal 98.4% of the time. The maximum recorded occupancy at the two Primett Road car parks was 267 vehicles, representing a displacement of 47 vehicles at the busiest recorded point. The disaggregated position is therefore broadly comparable to the aggregated one, and the concern that aggregation conceals a materially worse picture at Primett Road is not borne out.
- 5.1.9. The transport assessment attributes the recorded exceedances of the 272-vehicle threshold largely to temporary or exceptional factors. The single exceedance in August 2025 is attributed to Old Town Live and officers accept that demand associated with occasional special events is capable of being managed through event planning, including the direction of visitors to other car parks and the promotion of non-car modes. Objectors have raised the position of the High Street Charter Fair in similar terms, and the same reasoning applies.
- 5.1.10. The exceedances between September and November 2025 (once in September, three times in October and twice in November) are acknowledged by the parking assessment not to be clearly related to any identifiable event, though it suggests they may in part reflect the temporary displacement of on-street parking during the High Street ATF improvement works, which commenced in October 2025.
- 5.1.11. From December 2025 onwards, the increased frequency of exceedance is attributed to a season ticket arrangement made available to NHS staff following the temporary loss of parking at the Lister Hospital site due to construction works. That arrangement commenced on 17 November 2025, with up to 100 season tickets available. It is due to end in September 2026, at which point the spaces occupied by season ticket holders will return to general availability. The exceedances recorded throughout the period occurred only on weekdays and were confined to approximately three hours in the middle of the day on average, consistent with demand from staff parking during working hours.

- 5.1.12. The Technical Note presents a worst-case analysis using the maximum occupancy recorded since the season ticket arrangement began, adjusted to remove the tickets currently in circulation, and on that basis demonstrates that the reduced capacity of 272 spaces would be sufficient to accommodate demand once the arrangement concludes.
- 5.1.13. Several objectors have raised the consequences of the proposal for NHS staff who currently rely on the season ticket arrangement, and for the hospital more widely. The arrangement is a temporary measure, with discussions at an advanced stage for a longer-term solution at the St George's Way car park in the town centre. In any event, the future parking arrangements for NHS staff are a matter for the hospital trust and the council as parking authority rather than a matter capable of being resolved through this application.

Surrounding Uses

- 5.1.14. The parking assessment addresses the parking implications of surrounding non-residential uses, including Austins Funeral Care, which opened in the former Waitrose building opposite Primett Road North in late September 2025. Demand associated with a funeral directors' use is expected to be considerably lower than that of the former supermarket, and any demand it does generate is already reflected in the occupancy data, which covers the period since the premises opened.
- 5.1.15. In respect of Stewart House and other office buildings fronting Primett Road, the assessment demonstrates by reference to the council's Parking Provision SPD that on-site parking provision at these premises consistently and significantly exceeds the standards applicable to the Old Town. Stewart House, with 43 on-site spaces, would attract an expected provision of no more than 12 spaces under the SPD. A similar overprovision applies to other office premises nearby, and to the parking proposed in connection with permitted office-to-residential conversions at Stewart House, Hertlands House and Stamford House.
- 5.1.16. A time-series analysis drawn from the TRICS (Trip Rate Information Computer System), which is an industry standard database, further indicates that trip rates for office uses, including car trips, have been in consistent decline. Officers are therefore entirely satisfied that neither the current operation nor any future intensification or conversion of these premises should generate demand requiring accommodation in the public car parks.

Future Demand

- 5.1.17. The parking assessment considers a number of factors relevant to future demand. In respect of the High Street improvement works, the assessment states that the completed scheme would provide a similar quantum of on-street parking to that available previously, such that any off-street demand displaced during construction is expected to abate on completion. Objectors have suggested that the works would result in a permanent loss of significantly more spaces.
- 5.1.18. HCC Highways have in fact confirmed to officers that the completed scheme would result in the loss of 6 on-street spaces, out of 162 previously available. This represents a reduction of under 4% of the on-street supply and is substantially below the figure suggested in representations. Officers do not consider that a loss of this order materially alters the capacity position set out above. The works would also deliver improved sustainable transport infrastructure, including new crossing points, widened footways,

cycle parking and upgraded bus stops, with the potential to reduce car trips over time, although officers attach limited weight to this as it is not a quantifiable reduction.

5.1.19. In respect of the permit-only parking restrictions introduced in January 2026 on Green Street, Ivel Road and parts of Woolners Way, the parking assessment concludes that there has been no noticeable change in demand across the three car parks since their introduction, attributing this in part to the severance created by Lytton Way. Officers would observe, however, that when the Primett Road car parks are considered in isolation, a noticeable increase in demand is apparent from January onwards. The cause of that increase cannot however be isolated with confidence, coinciding as it does with the continued operation of the NHS season ticket arrangement and the High Street improvement works.

5.1.20. When the NHS season tickets are removed from the capacity assessment, the Old Town car parks have sufficient capacity to accommodate the proposal 100% of the time (whether looking at all three combined or just the Primett Road car parks). Under this assessment, there would be 53 spaces remaining available at the very busiest time.

Nexus Development

5.1.21. The Nexus development is a scheme of 592 dwellings with 198 car parking spaces currently under construction approximately 400 metres to the south of the site. It was a concern for members at the previous meeting that the ratio of dwellings to parking spaces at the Nexus development would generate overspill demand which the public car parks would be required to absorb.

5.1.22. The parking provision at Nexus accords with the council's Parking Provision SPD. The site lies within Accessibility Zone 1, where the SPD applies reduced parking standards in recognition of the area's high accessibility by sustainable modes of transport. The level of provision within the consented scheme falls within the range stipulated by the SPD and a development providing parking in accordance with the council's own adopted standards should not be assumed to generate demand requiring accommodation in nearby public car parks. The SPD standards exist precisely to identify the level of provision appropriate to a site's accessibility, and the Nexus scheme meets them.

5.1.23. The adequacy of parking provision at Nexus has been tested exhaustively through the planning process for that development, including at appeal. In the 2022 appeal decision, the inspector found that the parking levels on site would be adequate given the location and the scope for use of sustainable modes of transport, and that there was no evidence before him that the development would cause overspill parking on neighbouring roads. In the 2024 appeal decision, the inspector was similarly satisfied that the scheme is located in a highly sustainable location and provides a level of car parking within the range stipulated by the SPD.

5.1.24. The question of whether the parking provision at Nexus is acceptable has therefore been determined by the Planning Inspectorate on two separate occasions. It is not open to the council to revisit that judgement through the determination of this application.

5.1.25. In any event, retaining public car parking capacity in order to absorb demand from new residential development would run directly contrary to the objectives of the Parking Provision SPD and the local plan more broadly. The reduced parking standards applied in Accessibility Zone 1 are a deliberate policy instrument intended to reduce the level of parking provision in the most sustainable locations, and thereby to discourage car ownership and use in favour of sustainable modes.

- 5.1.26. To hold public parking capacity in reserve against the possibility of overspill from developments built to those standards would undermine the very behavioural change the standards are designed to achieve. The local plan's approach to parking is not to guarantee a supply matching all conceivable demand but to manage supply so as to support the shift towards sustainable travel.
- 5.1.27. It is acknowledged that contractor vehicles associated with the construction of Nexus are currently parking in the three car parks and adding to recorded demand. This is a temporary occurrence which will cease upon completion of the development, and to that extent the occupancy data presented above overstates the enduring level of demand.

Benefits of Car Rental and Sharing

- 5.1.28. The parking assessment contends that the proposed rental facility would itself act to reduce parking demand by supporting a shift from private vehicle ownership to shared use. It cites evidence from the British Vehicle Rental and Leasing Association concerning the substitution of rental for commercial vehicle ownership, and the CoMoUK (Collaborative Mobility UK) Annual Car Club Report 2024, which reports that each car club vehicle replaces on average 27 privately owned cars.
- 5.1.29. The May 2026 edition of the same report suggests a slightly lower figure of 23 private vehicles replaced per car club bay. On that basis, the two car club bays proposed within the development would offset demand equivalent to 46 vehicles. Objectors have questioned the independence and reliability of CoMoUK but officers have no substantive evidence to disagree with its figures. Furthermore, the general proposition that car club provision reduces private car ownership is widely accepted.

Conclusion on Loss of Public Car Parking

- 5.1.30. The occupancy data now before the committee demonstrates that the three car parks operate within the proposed reduced capacity of 272 spaces for at least 98% of the time, including at weekends and throughout the evening economy period. The recorded exceedances were confined to weekdays during the middle of the day and were limited in duration.
- 5.1.31. The most significant contributor to demand since December 2025, the NHS season ticket arrangement, is a temporary measure due to end in September 2026. At the highest recorded point of demand across the whole year, the shortfall against the reduced capacity would have been in the order of 46 to 47 vehicles, in circumstances largely attributable to that and other temporary events around the Old Town, such as the High Street improvement works.
- 5.1.32. Demand from surrounding uses, including Austins Funeral Care and the Primett Road office premises, is either already reflected in the data or adequately met by on-site provision, and future demand factors are not considered likely to alter this picture materially.
- 5.1.33. Accordingly, it is considered that it has been robustly evidenced that the 90 spaces subject to the application are no longer required. It follows that the proposal accords with Policy IT8 of the local plan.

5.2. Flood Risk and Drainage

- 5.2.1. When the application was before the committee in March, the adopted development plan contained a single policy, Policy FP2, dealing with both flood risk and drainage, with the

March report also having regard to emerging Policies FP1 and FP2 in the partial update of the Local Plan, to which moderate weight was then attached.

5.2.2. Those emerging policies have since been amended again as a consequence of the examination of the emerging plan, and now adopted.

5.2.3. Policy FP1 now deals with sustainable drainage and requires all major and minor development proposals to utilise SuDS unless it is demonstrated that their use would be impracticable. Policy FP2 now deals solely with flood risk and requires proposals to be assessed against national planning policies, alongside a number of other criteria.

Flood risk

5.2.4. The site lies wholly within Flood Zone 1 and is at low risk of fluvial and groundwater flooding. The applicant's drainage statement confirms that surface water mapping, including climate change allowances, indicates a low to high risk of surface water flooding in the lower-lying parts of the site, generally at depths of less than 0.2 metres and associated with the existing drainage features.

5.2.5. The Lead Local Flood Authority confirms that the site is not at risk of flooding and raises no objection. The site does not adjoin any flood defences, main rivers or ordinary watercourses, and contains no culverted watercourses, such that criteria (a) to (c) of Policy FP2 are not engaged. The proposal is acceptable with regard to flood risk and accords with Policy FP2.

Drainage

5.2.6. At the March meeting, the position reported to members was that Affinity Water had objected to the application on the basis that it was not accompanied by a surface water drainage strategy and contamination risk assessment, details which were considered necessary in this instance because the site falls within a groundwater source protection zone (SPZ2).

5.2.7. The applicant has since submitted a drainage statement and preliminary ground investigation in response, and Affinity Water has been re-consulted. Its response no longer requests a drainage strategy and no longer objects to the application.

5.2.8. It instead requests an informative advising that any works involving groundworks will require a ground investigation to avoid displacing shallow contamination to a greater depth, and that construction and operation should accord with relevant best management practices to reduce groundwater pollution risk. It also encourages the inclusion of water efficient fixtures and fittings, given the site's location in a water stressed area. Officers recommend that the requested informative be attached to any grant of permission.

5.2.9. The drainage statement confirms that the site is currently 100% impermeable and that the proposal would not increase the impermeable area. Discharge of runoff via infiltration is not considered a viable option owing to the potential presence of made ground of unknown composition, the site's location over the source protection zone and a principal aquifer, and the elevated nature of the site behind a retaining wall. There are no watercourses nearby.

5.2.10. In those circumstances, it is proposed to retain and use the existing positive drainage network as far as possible, maintaining the existing discharge points to the Thames Water surface water sewer in Primett Road, with roof runoff from the modular office and

wash bay unit discharging to that network via downpipes. The wash bay would be contained within a covered unit and would operate with a connection to the foul sewer, such that wash bay effluent would not discharge to the surface water network. This accords with the advice of the LLFA.

- 5.2.11. The pollution hazard level associated with the proposed use is medium, which is the same as that of the existing car park use. Runoff would continue to be cleansed prior to discharge in accordance with the CIRIA SuDS Manual, either through the existing interceptors, which would be identified and maintained by the site management company, or through proprietary treatment chambers achieving an equivalent standard. In order to provide certainty as to the final cleansing arrangement, a condition is recommended requiring a surface water cleansing scheme to be submitted to and approved by the local planning authority prior to occupation.
- 5.2.12. The drainage statement also recommends that a construction surface water management plan be developed prior to the commencement of works, in order to prevent silt and contaminated water entering the drainage system during the construction phase. Given the site's location within the source protection zone, and having regard to Affinity Water's advice on construction-phase pollution risk, a condition is recommended requiring such a plan to be submitted to and approved by the local planning authority prior to the commencement of development.
- 5.2.13. Policy FP1 requires the use of SuDS unless it is demonstrated that this would be impracticable. The LLFA has suggested that any possible option to retrofit SuDS be scoped and implemented, with any additional planting made multifunctional. However, the identified constraints (the ground conditions, source protection zone, absence of any nearby watercourse, and retention of a wholly impermeable site area served by an established drainage system) substantially limit the scope for meaningful SuDS provision in this case.
- 5.2.14. Officers therefore accept the applicant's position that the use of SuDS is impracticable in this instance, as Policy FP1 allows for. The proposal would not increase the impermeable area or the rate of surface water discharge from the site, would maintain the existing cleansing arrangements or better, and would remove wash bay effluent to the foul network under a Trade Effluent Licence.
- 5.2.15. Having regard to the above, and subject to the recommended conditions, the proposal is considered to accord with Policies FP1 and FP2 of the Local Plan.

5.3. CIL

- 5.3.1. The Stevenage Borough Council adopted its revised Community Infrastructure Levy (SCIL2) Charging Schedule 22 July 2026. This allows the Council to collect a levy to fund infrastructure projects based on the type, location and floor space of a development, in line with the following rates (plus indexation):

Table 1: SCIL2 charging rates for all development in Stevenage		
Development Type	CIL Rate (£ per Square metre)	
	Zone 1: Stevenage Central	Zone 2: Everywhere else

<i>Residential</i>		
<i>Market Housing</i>	<i>£50/m²</i>	<i>£120/m²</i>
<i>Sheltered Housing</i>	<i>£120/m²</i>	
<i>Extra care Housing</i>	<i>£50/m²</i>	
<i>Retail Development</i>	<i>£75/m²</i>	
<i>Industrial Development</i>	<i>£40/m²</i>	
<i>All Other Development</i>	<i>£0/m²</i>	

5.3.2. SCIL2 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 SCIL2 charge exist and will be taken into account in the calculation of the final SCIL2 charge.

5.3.3. SCIL2 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.

5.4. **Other Matters**

5.5. Officers' conclusions on all other material considerations, including character, appearance, heritage, neighbouring amenities, highway impacts, biodiversity net gain, planning obligations, equalities and human rights, remain entirely unchanged from the 12 March 2026 report and supplemental agenda.

6. **CONCLUSION**

6.1. The proposed development would support the provision of 12 full-time jobs and would provide a useful facility to residents of the town. These benefits are modest but nonetheless positive and carry moderate weight in favour of granting planning permission.

6.2. Subject to the recommended conditions, the proposal is considered acceptable in all other respects, including in terms of the suitability of the site and the loss of public car parking provision. These matters are neutral in the planning balance.

6.3. The application must be determined in accordance with the development plan unless material considerations indicate otherwise. In this instance, the proposal is considered to accord with the development plan when read as a whole. In the absence of any other material considerations which indicate that permission should be refused, it is recommended that planning permission be granted.

7. **RECOMMENDATIONS**

- 7.1. That planning permission be GRANTED subject to the conditions set out below, with delegated authority be given to the Director for Planning and Regulation, in consultation with the Chair of the Planning and Development Committee, to amend or add to the conditions subject to which 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.

Conditions

General

1. The development shall be carried out in accordance with the following approved plans unless otherwise agreed in writing by the local planning authority:

PP-ERAC-STE-001;
ERAC-STE-002;
0002 Rev P02;
00010
251217.UK99.CSB.T22;
ST-01;
ST-02;
ST-03;

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

2. The development 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).

3. No demolition or construction activities (including any associated collections or deliveries) shall be carried out except between the hours of 07:30 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays. For the avoidance of doubt, no such work shall be carried out on Sundays or bank holidays.

REASON: In the interests of the living conditions of neighbouring occupiers.

4. The development shall not be open to the public except between the hours of 07:00 to 22:00 on any day.

REASON: In the interests of the living conditions of neighbouring occupiers.

5. No external lighting shall be installed or operated at the site other than in accordance with Lighting – Car Park Design Rev 4.

REASON: In the interests of the living conditions of neighbouring occupiers.

Prior to Commencement

6. Prior to the commencement of the development (excluding site clearance and groundworks), a schedule of external materials shall be submitted to and approved in writing by the local planning authority. The development shall then be carried out in accordance with the approved details.

REASON: In the interests of the character and appearance of the area.

7. Prior to the commencement of the development (excluding site clearance and groundworks), a construction surface water management plan shall be submitted to and approved in writing by the local planning authority. The development shall then be carried out in accordance with the approved surface water management plan.

REASON: To ensure that flood risk is not increased.

Prior to Occupation

8. Prior to occupation of the development, cycle parking, including one space for adapted cycles, shall be provided in accordance with details which have been submitted to and approved in writing by the local planning authority. The cycle parking shall thereafter be permanently maintained in a manner fit for its intended purpose.

REASON: In the interests of sustainable transport and accessibility.

9. Prior to occupation of the development, all accesses, parking, servicing and manoeuvring areas shall be laid out in accordance with the approved plans. Those areas shall thereafter be permanently maintained in a manner fit for their intended purpose.

REASON: In the interests of the living conditions of neighbouring occupiers and highway safety.

10. Prior to occupation of the development, all boundary treatments shall be laid out in accordance with the approved plans. The boundary treatments shall thereafter be permanently maintained in a manner fit for their intended purpose.

REASON: In the interests of the living conditions of occupiers of the development.

11. Prior to occupation of the development, a surface water cleansing scheme shall be submitted to and approved in writing by the local planning authority. The approved cleansing measures shall be installed prior to occupation and permanently retained as such thereafter.

REASON: In the interests of human health.

INFORMATIVES

1. The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the County Council website at <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
2. It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and

requirements before construction works commence. Further information is available via the County Council website at <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

3. 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.

4. 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, 4th Floor, Campus West, Welwyn Garden City, Hertfordshire, AL8 6BX.

Once a building regulations application has been deposited with relevant drawings and fee building work may commence. You will be advised in their acknowledgement letter of the work stages we need to inspect but in most instances these are usually: excavation for foundations; damp proof course; concrete oversite; insulation; drains (when laid or tested); floor and roof construction; work relating to fire safety; work affecting access and facilities for disabled people; and completion.

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

5. Any works involving groundworks (e.g. foundations, drainage, geothermal system) will require a ground investigation to identify appropriate techniques and to avoid displacing any shallow contamination to a greater depth, which could impact the aquifer.

The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk. It should be noted that the construction works may exacerbate any existing pollution. If any pollution is found at the site then the appropriate monitoring and remediation methods will need to be undertaken. For further information we refer you to CIRIA Publication

C532 "Control of water pollution from construction - guidance for consultants and contractors".

For further information we refer you to CIRIA Publication C532 "Control of water pollution from construction -guidance for consultants and contractors".

Being within a water stressed area, we expect that the development includes water efficient fixtures and fittings. Measures such as rainwater harvesting and grey water recycling help the environment by reducing pressure for abstractions. They also minimise potable water use by reducing the amount of potable water used for washing, cleaning and watering gardens. This in turn reduces the carbon emissions associated with treating this water to a standard suitable for drinking and will help in our efforts to get emissions down in the borough.

8. BACKGROUND PAPERS

- 8.1. 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/>
- 8.2. The Stevenage Borough Local Plan 2011-2031
<https://www.stevenage.gov.uk/planning-and-building-control/planning-policy/local-plan>
- 8.3. 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>
- 8.4. 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>
- 8.5. Hertfordshire County Council Local Transport Plan LTP4 2018-2031
<https://www.hertfordshire.gov.uk/media-library/documents/about-the-council/consultations/lt4-local-transport-plan-4-complete.pdf>
- 8.6. 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>
- 8.7. Representations made by statutory consultees and other interested parties referred to in this report. Online copies can be found on Public Access (see paragraph 10.1).

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

Date: 4 August 2026

Author: Linda Sparrow

Lead Officer: Alex Robinson

Contact Officer: Linda Sparrow

Application No : 26/00216/FP

Location : 33 Julians Road Stevenage

Proposal : Change of use of 6no. dwellinghouses (Use Class C3) to 6no. five-bedroom Houses of Multiple Occupation for up to six-persons each Use Class C4)

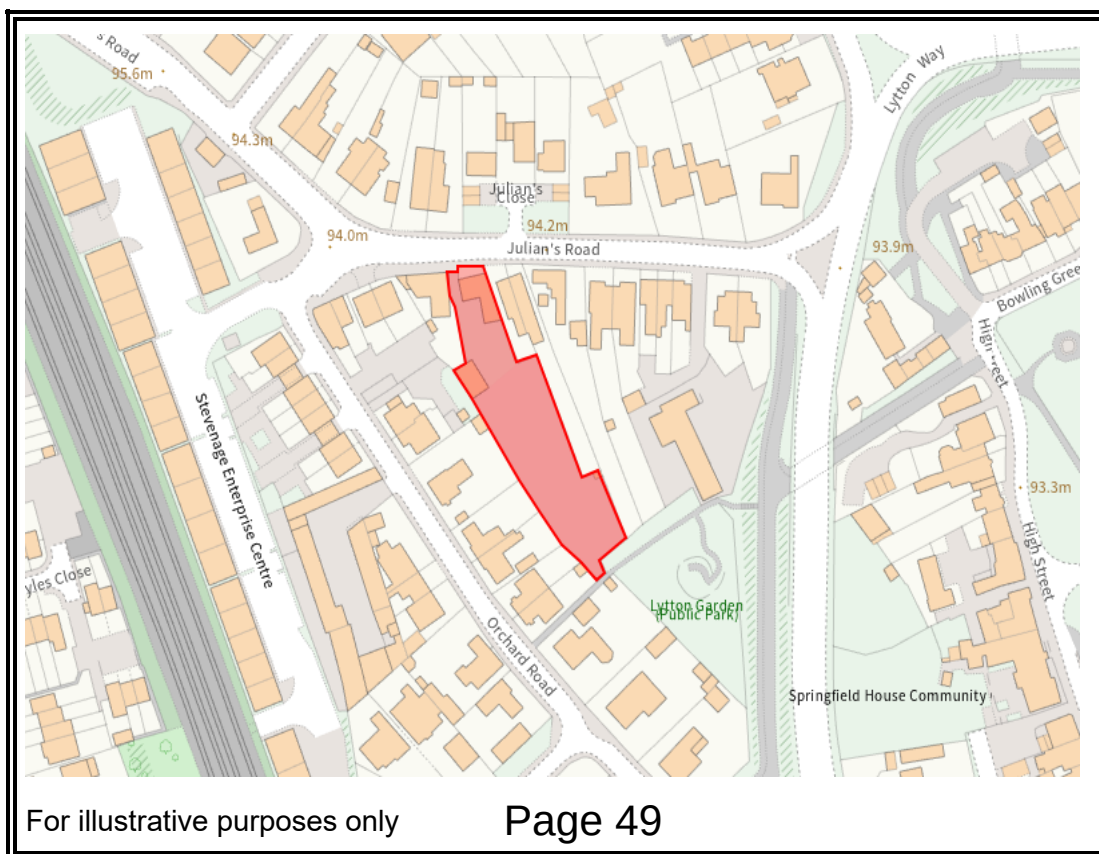
Drawing Nos.: Site Location Plan; 21123-P001-B; 21123-P002-C

Applicant : Mrs R Buddhdev

Agent: Mr Paul Cavill

Date Valid: 9 March 2026

Recommendation: **GRANT PLANNING PERMISSION**



1. SITE DESCRIPTION

- 1.1 The application site is currently under construction with two buildings each comprising 3 dwellings. The dwellings approved were 4no. four bedroom and 2no. three-bedroom dwellings. At the time of writing this report, the external build of the southern building is complete whilst the northern building is still under construction and no parking or landscaping work has commenced, due to the ongoing construction works.
- 1.2 Prior to the construction described in paragraph 1.1 above, the site previously comprised of an extensive yard area which contained a two-storey L-shaped outbuilding that was partially in use as an office and partially vacant and in a state of disrepair.
- 1.3 The site lies on the southern side of Julians Road, between the junctions with Hitchin Road to the east and Orchard Road to the west. The site is an irregular shape which extends approximately 100 metres from the entrance on Julians Road along the rear gardens of properties in Orchard Road on the western boundary. Although most of the immediate neighbours are residential, there are a number of commercial premises in Orchard Road and a garage to the rear of the gardens behind 15-23 Julians Road.
- 1.4 There are two former public houses (both non-designated heritage assets) in the vicinity, fronting Julians Road, both of which have been converted into residential use. The Rising Sun P.H is now No.35 Julians Road, and The Mallard (formerly The Railway Inn) is now 37a, 37b, and 37c Julians Road and 28 Orchard Road.
- 1.5 Properties in this area are generally large, detached dwellings with unique character and design. Roofs are typically pitched, with some examples of hipped pitches, a variety of gullies and valleys, and crown roofs. Brickwork is general red-multi with a number of buildings also containing smooth painted render in hues of white and cream with some having mock Tudor detailing. Dormer windows at both the front and rear are also a regular feature, as are bay windows, chimneys and street facing gable fronted roof features.

2. RELEVANT PLANNING HISTORY

- 2.1 2/0026/76 Change of use of part first floor to joinery workshop. Refused 07.04.1976.
- 2.2 2/0045/76 Outline application: two storey storage building. Refused 19.08.1976.
- 2.3 2/0279/76 Enforcement notices: change of use of part of first floor for joinery workshop, intensification of use as builders yard. Enforcement notice upheld at appeal 21.1.1977.
- 2.4 2/0350/78 Storage building and covered way: change of use of two room from residential to offices at ground floor and first floor levels. Approved 06.03.1979.
- 2.5 01/00677/FP Change of use from warehouse (B8) to 3 B1 units, erection of front and rear two storey extensions and elevational changes. Granted 29.05.2002.
- 2.6 09/00007/FP Part demolition and re-building of existing flats incorporating single storey extension to offices. Two storey extension to existing building to facilitate use for B1 (office/light industrial purposes) and erection of detached two storey building B1/B8 (light industrial purposes). Alterations to existing access and provision of associated parking facilities. Withdrawn 25.02.2009.
- 2.7 09/00008/CA Conservation Area application for part demolition of rear barn. Withdrawn 25.02.2009.

2.8 09/00107/FP Change of use from B8 to B1 (office/light industrial purposes) of site and change of use of part of residential rear garden at 31 Julians Road to B1 use. Part demolition of 33 Julians Road. Refurbishment of northern warehouse and replacement of southern warehouse building. Erection of a single storey building to the rear of the site. Alterations to existing access and provision of associated parking facilities. Refused 16.09.2009, for the following reason:

1. The proposed development would, as a result of the additional commercial floorspace and car parking spaces that would be provided within the curtilage of the site, generate a level of activity that would detract from the amenities of the occupiers of neighbouring residential properties by reason of noise and general disturbance, contrary to policy E7 of the Stevenage District Plan Second Review 1991-2011 and Government guidance contained in Planning Policy Guidance 4: Industrial, commercial development and small firms.

This application was appealed under reference APP/K1935/A/10/2121338/NWF and was dismissed on 10.09.2010.

2.9 09/00108/CA Conservation area consent for demolition of rear warehouse building. Granted 16.09.2009.

2.10 23/00889/FP Demolition of the existing yard buildings (office and storage) and their replacement with 6 no. dwellings with associated gardens, landscaping, car and cycle parking. Retention of existing residential (2 no. flats) and office building (Class E) to the front of the site (33 Julians Road). Granted 18.01.2024.

3. THE CURRENT APPLICATION

3.1 This application seeks planning permission for the change of use of the previously approved 6no. dwellinghouses (Use Class C3) to 6no. five-bedroom Houses of Multiple Occupation (Use Class C4).

3.2 The application comes before the Planning Committee as it was called in by a number of Local Councillors.

4. PUBLIC REPRESENTATIONS

4.1 Following notification of the application via letters and the erection of site notices, at the time of writing this report 55 public representations have been received from 28 addresses.

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

- Harm to residential amenity;
- Harm to the character and appearance of the area;
- Overconcentration of HMOs in one location;
- Parking pressure and overspill onto the adjacent highway;
- Loss of family housing;
- Increased waste and recycling generation;
- Increased noise and activity levels;
- Overdevelopment of the site;
- Concerns regarding access for emergency vehicles
- Insufficient amenity space;
- Issues relating to sewerage and drainage;
- Need for HMOs acknowledged, but concerns regarding their concentration in one area;

- Lack of need for additional flats/HMOs, with suggestion that existing units are vacant;
- Concerns regarding the applicant's intentions;
- Potential for excessive occupancy (up to 60 persons);
- Alleged breach of the Article 4 Direction relating to HMOs;
- Uncertainty as to whether bedrooms meet HMO standards;
- Concerns that higher occupancy levels could result in a sui generis use rather than Use Class C4;
- Inaccuracies within the submitted Transport Statement;
- Objections based on personal preference regarding change in local population;
- Absence of a submitted fire strategy;
- Overlooking and loss of privacy;
- Concerns regarding safety and security due to transient occupiers;
- Lack of elevation drawings;
- Concerns that the submitted management plan is unenforceable and unsupported by evidence.
- Land ownership
- Lack of information on waste & recycling collections

4.3 The aforementioned is not a verbatim copy of the objections which have been raised.

5. CONSULTATIONS

5.1. SBC Environmental Health

There is no space standards indicated on the plans which will impact the occupancy. If permission is granted, then it is recommended that an informative is added to bring the licence requirements to the applicants' attention.

5.2. Herts County Council as Highways Authority (HA)

31st March 2026: Recommend that planning permission is refused owing to doubt over implications for highway safety and amenity. The transport statement/design and access statement refer to 18 parking spaces of which 4 are retained for previous uses. 18 spaces are shown on one plan but not the other, please rectify the discrepancy.

23rd April 2026: Recommend that planning permission is refused owing to the proposed parking spaces not conforming to the current minimum size standards; the spaces only measure 4.8m x 2.4m which is the former standard. A revised parking layout and swept path analysis will be required. The proposals for waste and recycling do not include sufficient detail. The term 'euro bins' suggests a substantial four-wheeled structure which would be heavy and difficult for one resident to move on their own. The applicant needs to clarify what sort of receptacles are intended and where. The collection area is not shown on the amended site layout.

13th May 2026: The applicant has now submitted an Amended Site Plan Ref. 21123-P002-C in which the bays are shown to conform with Hertfordshire's P&MP&DG (4.6.11). The LPA as parking authority will determine whether the proposed parking provision accords with its current standards for this location and intended use, including those for secure cycle storage, electric vehicle charging and blue badge holders. Waste & Recycling: the Authority notes the provision of a dedicated bin storage area close to the highway boundary and the proposal for bins to be taken to and removed from there on collection days by site management staff rather than residents. Stevenage Borough Environmental Operations Department will confirm whether the revised arrangements conform with their current standards. Accordingly, Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission. **Page 52**

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 (updated 2026)
- 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 (Updated 2026)

6.6.1 The Stevenage Borough Local Plan 2011-2031 was adopted in 2019 and partially updated in 2026. 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 The policies most relevant to determining 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 IT5: Parking and access;
Policy IT6: Sustainable transport;
Policy HO5: Windfall sites;
Policy HO9: House types and sizes;
Policy GD1: High quality design;
Policy FP7: Pollution;
Policy FP8: Pollution sensitive uses;

6.6.3 All of these policies are considered to be fully compliant with the NPPF.

6.7 Supplementary Planning Documents

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

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

6.8 Community Infrastructure Levy

6.8.1 Stevenage Borough Council adopted its revised Community Infrastructure Levy (SCIL2) Charging Schedule 22 July 2026. 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 principle of development, design and visual impact, impact on residential amenities, car parking, 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 The NPPF (2024) states that the purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF also stipulates that decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and

opportunities of each area. In addition, the Framework also sets out that sustainable development needs to be pursued in a positive way and at the heart of the framework is a "presumption in favour of sustainable development". It also states that significant weight should be placed on both the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

- 7.2.2 The proposal is for the conversion of the under-construction 6no. dwellings (Use Class C3) into 6no. five-bedroom houses in multiple occupation for a maximum of six occupants each (Use Class C4).
- 7.2.3 Like class C3 dwellinghouses, HMOs are a form of housing and therefore a residential use of land. However, as per the Housing Delivery Test measurement rule book (December 2024), a ratio is applied to (non-student) communal accommodation based on the national average number of adults in all households. The current ratio is 1.9. This has been calculated by dividing the total number of adults living in all households by the total number of households in England. Source data is from the Census 2021 and is prepared by the Office for National Statistics. The ratio will be updated following each Census when the source data is publicly available.
- 7.2.4 Accordingly, each five-bedroom HMO is treated as 2.6 dwellings (five bedrooms divided by 1.9). This means the proposed development would result in an equivalent of 15.6 dwellings which would be a net increase of 9.6 dwellings over the under-construction development and an increase of 15.6 dwellings over the original site.
- 7.2.5 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 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.
- 7.2.6 The spatial strategy for housing also remains unchanged; much 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.
- 7.2.7 In this case, the application site is not designated for any particular purpose in the local plan. The proposed development is therefore treated as windfall development and is subject to Policy HO5, which sets out criteria such development must satisfy. The proposal satisfies these criteria insofar as they relate to land use: the site is previously developed land (as defined by annex 2 to the NPPF); it enjoys good access to shops, schools and other local facilities necessary for day-to-day living; and the proposed development would not prejudice the delivery of housing on any allocated housing sites since there are none; and in light of the fact that CIL would be payable, there is nothing to indicate that it would overburden infrastructure. The proposal is therefore considered to accord with Policy HO5 of the adopted plan
- 7.2.8 As set out in paragraph 7.2.4 above, the proposal would deliver the equivalent of 15.6 dwelling units, each essentially one-bedroom units. Policy HO9 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.

- 7.2.9 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.
- 7.2.10 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.
- 7.2.11 The third consideration, at (a)(iii), concerns the location and accessibility of the site. The site lies on the periphery of the Old Town, is physically constrained, and is highly accessible. Such a location lends itself well to the high-density development proposed. This consideration weighs in favour of the proposal and of the smaller unit mix it would deliver.
- 7.2.12 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.
- 7.2.13 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 Old Town. 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.
- 7.2.14 Policy HO9(c) seeks the provision of aspirational homes in appropriate locations. Aspirational homes are however, defined in the Local Plan as detached dwellings with large gardens, which, the site could potentially be capable of providing. The absence of aspirational homes is therefore a shortcoming of the scheme and criterion (c) could be weighed against the proposal.
- 7.2.15 Drawing these matters together, the proposal represents windfall residential development on previously developed land in a sustainable location. It would make a reasonable 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.
- 7.2.16 Whilst the assessed need for three-bedroom homes and aspirational homes weighs against the proposal, 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.
- 7.2.17 Having regard to the above, the proposal is considered to accord with Policies HO5, HO9, and HO14. It follows that the development is 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, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process. Where development is not well designed, permission should be refused.
- 7.3.2 Policies SP8 and GD1 of the Local Plan Partial Review (2026) 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 There are no external alterations proposed to the previously approved scheme that is currently under construction and therefore there is no requirement to provide any elevation plans.
- 7.3.4 Comments received regarding HMOs not being in keeping with the character and appearance of the area are noted. However, both Class C3 dwellinghouses and Class C4 HMOs fall within the same broad residential use category. In the absence of any external alterations to the approved buildings and given that the proposal relates solely to a change of use, it is not considered that the development would materially alter the character or appearance of the surrounding area, which is predominantly residential in nature.
- 7.3.5 Policy HO14 of the Local Plan Partial Review (2026) does not restrict the number of HMOs in any given area and therefore the proposed change of use of all six dwellings in this back land development is not contrary to this policy.
- 7.3.6 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.

7.4 Impact on Neighbouring residential amenity

- 7.4.1 Policy GD1 of the Local Plan Partial Review (2026) requires that development does not lead to an unacceptable adverse impact on the amenities of neighbouring occupiers.
- 7.4.2 The ground floors would comprise open plan living, dining, and kitchen spaces and 1no. en-suite bedroom; the first floors would comprise 2no. en-suite bedrooms; and the second floors would comprise 2no. bedrooms with a shared bathroom.
- 7.4.3 Environmental Health have assessed the application and advised they have no objections or concerns. They requested an informative be added to any grant of permission to alert the applicant to licensing and fire safety requirements of HMOs. Comments from residents about the lack of a fire strategy are noted, however this is not required as part of the

planning application and will form part of the Environmental Health Licensing process should planning permission be granted.

Outlook and Privacy

- 7.4.4 The site is bounded by residential dwellings to the north (Julians Road) and east (Orchard Road). To the west are the residential gardens of Julians Road properties with the commercial premises known as Lincolns Tyres beyond
- 7.4.5 The Julians Road properties would have their rear elevations facing the front of the northern block and there is no minimum separation in the Design Guide SPD (2025) for this. The most affected properties are No.35 and the flats within No.33. No.35 was granted planning permission for a two-storey rear extension of 6.2m deep in 2022. Taking this into account, the back to front separation distance is approximately 29m which is considered acceptable so as not to result in a loss of privacy.
- 7.4.6 Comments from residents regarding overlooking are noted, however, the previous buildings on the site that were in use as offices had windows directly overlooking neighbouring properties and it was considered under the 2023 planning permission for the 6no. dwellings that the proposed dwellings would be approximately 15m further away than the previous building, such that there would actually be a betterment to the as then existing conditions for neighbouring residents. Potential occupiers of the previously approved dwellings and potential occupiers of the proposed HMOs would have no more views into their private rear garden than the existing neighbours at Nos. 37a, b, and c currently do.
- 7.4.7 The flatted development within No.33 Julians Road is also orientated front to back the same as No.35 is, and the assessment above would be the same for these properties.
- 7.4.8 The properties in Orchard Road would have their rear elevations facing the side elevations of the proposed buildings, for which the Design Guide SPD identifies a minimum separation distance of 15m. Whilst the buildings include accommodation within the roof space, they are read as two-storey in scale and there are no windows proposed in the side elevations. As such, it is considered appropriate to assess the relationship on the basis of a two-storey form in this instance. The separation distances range between approximately 14m and 16m; however, given the absence of side-facing windows, it is not considered that this relationship would give rise to any unacceptable overlooking or loss of privacy. Accordingly, the relationship is considered to be acceptable.
- 7.4.9 With regard to the new buildings themselves, these are orientated such that the front of the southern block faces the rear of the northern block. There are no minimum distances for this orientation. However, they are approximately 25m apart which is considered acceptable in this regard.

Noise

- 7.4.10 Policy FP7 of the Local Plan Partial Review (2026) requires all development proposals to minimise, and where possible, reduce air, water, light and noise pollution. Planning permission will be granted when it can be demonstrated that the development will not have unacceptable impacts on general amenity and the tranquillity of the wider area. Policy GD1 also requires that developments do not have an adverse impact on neighbouring uses or the surrounding area.

- 7.4.11 Turning to the operational side of the development, although the change in occupancy of the buildings could potentially generate additional noise, it is not considered that this would amount to a level that would result in unacceptable harm to neighbouring residents. The previously approved scheme comprised 4no. four-bedroom dwellings which could potentially have accommodated 2 parents and 3-4 children (including adult children), and 2no. three-bedroom dwellings which could potentially have accommodated 2 parents and 2-3 children (including adult children) each.
- 7.4.12 On that basis, the previously approved scheme could have potentially accommodated up to 34 people, but more realistically would have accommodated around 28-30 people. The proposed scheme is for 6no. HMOs in the C4 Use Class, which could only accommodate 6 people each, giving a total maximum allowed of 36 people.
- 7.4.13 As such, the approved scheme and the proposed scheme are for very similar number of people, and the possibility of 6 persons in each property is considered to be in line with that which could potentially live in the previously approved dwellings as a larger family home. Further to this, it is not uncommon to find HMOs within a predominantly residential area of a town as they provide short-term lets to individuals.
- 7.4.14 However, HMOs are generally subject to Building Regulations Approval which may require noise insulation. In addition, they have to be licensed under Section 63 of the Housing Act 2004. Therefore, any issues around the operation of the HMO would be for the Council's environmental health department to enforce against.
- 7.4.15 Noise from construction is an inevitable part of developments, but, with no proposed alterations internally or externally, this is not considered to be an issue in this instance.

Intensification of Use

- 7.4.16 From a planning perspective, the number of occupiers that could satisfactorily occupy the property is ultimately a housing matter determined through the Environmental Health Licencing process and is not part of the planning assessment in this instance. Notwithstanding this, the applicant has specifically only applied for HMOs under Use Class C4, which is restricted under the Town and Country Planning (Use Classes) Order 1987 (as amended) to only 6 people in each dwelling. Numbers above this would be subject to an assessment of whether a material change of use has occurred to Use Class *Sui Generis*. The current application must be assessed on its merits as submitted and cannot be refused on matters that have not arisen, such as a breach in the number of occupants.
- 7.4.17 With regards to the implementation of a condition to control the number of occupants, such conditions are not generally enforceable. Whilst the imposition of such conditions may resolve any concerns that the intensity of occupancy of premises would increase in the future, they would fail the enforceability test and would also be in danger of failing the test of necessity. This is because the Housing Act 2004 HMO licensing regime gives local authorities power to specify the maximum number of residents that may occupy a house in multiple occupation with its existing facilities. Accordingly, the Council does not consider it reasonable to impose such a condition, especially as the licensing regime can limit the number of residents that can occupy a house.

- 7.4.18 With regards to increased noise and disturbance from additional residents, it is acknowledged this could be greater than at present; however, it is not considered it would amount to anything over and above what could ordinarily be expected from domestic residences containing solely adults, and any issues arising from such would be controllable through the Environmental Health Licencing powers.

Future Occupiers and Management of the HMO

- 7.4.19 The Council as Local Planning Authority has no control over who would occupy the HMOs in the future if this application was granted planning permission. Whilst the applicant has submitted a management policy, this is not enforceable by the Local Planning Authority and carries no weight in the assessment of the application. However, the properties would need to be licensed as HMOs by the Council's Environmental Health and Licensing Department. Any issues with the operation of the HMO in the future would be enforced by the respective department.
- 7.4.20 It is noted that the applicant has stated their intention to offer their accommodation only to local professional workers and that they vet applications to ensure potential tenants meet their high standards. The recently adopted Renters' Rights Act 2026, whilst removing Landlord's ability to discriminate against certain persons or characteristics, still allows Landlords and their agents to have final say on who they let their property to and can carry out referencing checks to make sure tenancies are sustainable for all parties. Accordingly, the management company of the HMOs would have final say over future occupiers and could offer to only professional workers if their referencing checks meet all relevant laws and legislations.
- 7.4.21 How residents of a proposed conversion might conduct themselves - whether they would come in late at night or leave early in the morning, whether they would care for the property or contribute to the social life of the area, is not something that the planning process should be involved in as these matters would be a matter for either the Landlord of the property through Tenancy Agreements, or Environmental Health if concerning noise.
- 7.4.22 Case Law suggests that anti-social behaviour and fear of crime can be material planning considerations where there is an evidential basis for that fear. In this instance, there is no evidence before the Council that any HMOs that may be in the vicinity of the site have given rise to any anti-social behaviour, increased crime rates, or harm to residential amenity through noise complaints. Accordingly, there is insufficient evidence before the Council that granting permission for the proposed HMOs would give rise to an increase in crime or anti-social behaviour and therefore it is not considered to be a reason for refusal that could be successfully defended on appeal.
- 7.4.23 Designing out crime through Secured by Design is recommended to developers but is not required through the Local Plan and therefore the imposition of a condition in this regard would be unreasonable.
- 7.4.24 Having regard to the above, the proposed development would have an acceptable impact on the amenities of neighbouring occupiers. In this respect, the proposal accords with Policy GD1 of the Local Plan Partial Review (2026).

7.5 Impact Upon Amenities of Future Residents

Standard of Accommodation

- 7.5.1 Policies SP8 and GD1 of the Local Plan Partial Review (2026) 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.
- 7.5.2 Whilst Policy GD1 requires residential developments to comply with the government's nationally described space standard (NDSS), which is reproduced in the plan in appendix C, these national standards do not apply to HMOs. This is because HMOs are covered by the Housing Act 2004 and Environmental Health Licencing laws and Planning should not obstruct, nor override, these other powers, and additionally, the NDSS only applies to self-contained accommodation types.
- 7.5.3 There is no minimum floor area for dwellings used as an HMO, but the bedrooms will be required to meet the minimum space standards of the Council's Environmental Health departments' HMO Licensing. This requires single rooms to be at least 6.5sqm and double rooms to be at least 10.5sqm. Where a property will be occupied as a House in Multiple Occupation by five or more persons, an application to the Council for an HMO Licence must be made in accordance with Section 63 of the Housing Act 2004.
- 7.5.4 All bedrooms have been measured by Officers as between 8sqm and 16.75sqm and as such all bedrooms are considered to exceed the minimum space standards of the Environmental Health licence requirements.

Private amenity space

- 7.5.5 In respect to private amenity space, the Design Guide SPD (2025) requires that all dwellings should have private open space of at least 50sqm and at least 10m deep. All gardens measure between 52sqm and 62sqm and all meet the required depth of 10m and are therefore considered acceptable and policy compliant.

Noise and Pollution

- 7.5.6 Policy FP7 of the Local Plan Partial Review (2026), states that developments should minimise, and where possible, reduce air, water, light and noise pollution. Policy FP8 stipulates that permission for pollution sensitive uses will be granted where they will not be subjected to unacceptably high levels of pollution exposure from either existing, or proposed, pollution generating uses. Given the proposed development would be located within an existing residential area; harm from noise is not considered an issue. Through the Local Plan Review, these policies now carry significant weight.

7.6 Car Parking and Cycle Provision

- 7.6.1 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.

7.6.2 Policy IT5 of the Local Plan Partial Review (2026) 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 Partial 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.

7.6.3 The Parking Provision SPD (2025) sets out the maximum amount of off-street parking for residential developments based on the number of bedrooms. The proposed development would result in 6no. five-bedroom HMOs. HMOs require 0.5 spaces per bedroom unit, so each five-bedroom property would require 2.5 spaces with a total site requirement therefore of 15 spaces.

7.6.4 The site is not located in a residential or non-residential accessibility zone and therefore no reductions would be applicable.

7.6.5 It is noted that the submitted Transport Statement makes reference to residential accessibility zones adjacent to the site whilst noting that the site itself does not fall within any accessibility zones. The parking Provision SPD (2025) states that *"the fact that a site lies close to the boundary of an accessibility zone (or an accessibility zone of a different level) will not, in itself, be accepted as justification for deviation from the range of acceptable provision"* and therefore no reduction is applicable.

7.6.6 The submitted site layout plan as originally submitted showed the parking spaces as per the 2023 permission, i.e. spaces each measuring 2.4m wide and 4.8m long. No disabled spaces were shown. Herts County Council as Highways Authority (HA) advised that this was unacceptable and would not be supported as all spaces must meet the *current* space standards of 2.5m wide and 5m long. This puts the site in conflict with Policy IT5 through being in an identified deficit of 1 space.

7.6.7 Following identification of a landownership conflict between the submitted plans and the Title deeds, an amended site location plan and site layout plan has been submitted. The amended plans remove the office/residential development at the front of the site and their associated parking areas. Additionally, the parking for the proposed development is reduced to 14 spaces in order to accommodate the current space standards.

7.6.8 Taking account of the above, the site is therefore now identified as being in conflict with Policy IT5 with a deficit of one parking space.

- 7.6.9 It should be noted that the NPPF states planning permission should only be refused on highway grounds if there would be an unacceptable impact on highway safety, or residual impacts would be severe. In this instance, it is noted that Julians Road has yellow lines which restrict on-street parking and as such there would be no overspill of parking from the site onto Julians Road. Accordingly, a deficit of 1 parking space on the site would be unlikely to result in severe impacts to be able to substantiate a refusal. In line with an appeal decision for the same issue (see below), only moderate weight can be applied to the policy contravention.
- 7.6.10 Members should be aware of an appeal that was allowed in Stevenage in 2025 for a two-dwelling development in Vardon Road with zero car parking. Appeal reference APP/K1935/W/25/3362953 against planning reference 24/00893/FP. In allowing the appeal, the Inspector made it clear that the Council's failure in meeting the HDT score was given significant weight in favour of the development and outweighed any identified harms arising from a deficit in parking spaces, which only carries moderate weight against the proposal.
- 7.6.11 The HA have reviewed the application and have removed their initial objections to the proposal as the parking spaces now meet the relevant standards and they are satisfied with the swept path analysis that shows the enlarged spaces can be accommodated safely.

Disabled Parking

- 7.6.12 One space has been designed to be compliant with disabled space standards although there is no requirement for this as none of the residential units provided will be M4(3) wheelchair accessible dwellings.

Visitor Spaces

- 7.6.13 Visitor spaces are required at a standard of 0.25 spaces per dwelling, however, as the parking is unallocated then additional visitor spaces are not required on this site. It is for the owner of the site, or their appointed management company, to monitor and control on-site parking as the site will be privately owned.

EV Charging

- 7.6.14 The Parking Provision SPD (2025) requires all new parking spaces for new dwellings to be designed to fulfil a Passive Electrical Vehicle Charging Point standard. This will mean that the underlying infrastructure is provided for connection to the electricity network, but it will need to be activated through the installation of a charge point to be used in the future as technologies evolve and uptake increases. This can be secured with a suitably worded condition.

Cycle Storage and provision

- 7.6.15 Policy IT5 of the Local Plan Partial Review (2026) requires developments to provide secure cycle parking provision in line with the Parking Provision SPD (2025). The recently adopted SPD requires one cycle parking space per bedroom. The submitted plans show that there is a cycle storage area within the rear curtilage of each property which is considered acceptable. No details have been provided on the extent of the storage although this can be secured via a condition.

- 7.6.16 It should be noted that the proposal includes a footpath link at the rear of the site to the public footpath which in turn links to the Town's wider cycle network within 60m of the site and as such, the proposal will provide easy access to cycling and walking which is a benefit to the proposal.

Highway Safety

- 7.6.17 The application is accompanied by a Transport Statement (TS). It is noted that the TS makes reference to the site becoming a 40-bedroom HMO site and that local residents have raised substantial concerns in this regard. This statement is a typing error on the part of the company writing the TS. The submitted plans upon which any decision will be based, show that the proposal is actually for 6no. five-bedroom HMOs which amounts to only 30 bedrooms.
- 7.6.18 The TS confirms that the Crashmap database identifies no personal injury traffic collisions have occurred at or in the vicinity of the proposed site access in the period 2020 to 2024, however, there are four recorded 'slight' incidents at the Julians Road/Lytton Way Junction. Taking this further, the TS studied data back to 2000 and found no incidents at or in the vicinity of the site access.
- 7.6.19 In terms of trip generation, the submitted TS has provided multiple tables for differing residential uses on the basis that there are no model datasets for HMOs and further reviewed car ownership levels of differing residential types. The overall conclusion is that approximately 26% of flats in the area local to the application site do not own a car and, given that HMOs generally attract lower income or single persons, car ownership is expected to be lower than other types of residential uses. The non-car accessibility of the site with excellent cycle route options would see a greater uptake in sustainable travel options. Therefore, of the potential +53 trips compared to the previously approved 6no. residential units, the TS assumes that approximately 75% would likely use sustainable transport options. The TS concludes that the trip generation is unlikely to differ significantly from that of the previously approved dwellings.
- 7.6.20 The HA have reviewed the application and raised no concerns or objections to the TS and have raised no concerns to the proposal in terms of highway safety.
- 7.6.21 Given the aforementioned assessment, and through the use of appropriately worded conditions, the development would be in accordance with the policies set out in the Local Plan Partial Review (2026), the Council's Parking Standards SPD (2025), the NPPF (2024) and PPG.

7.7 Impact on the Environment

- 7.7.1 Following consultation with the Council's Environmental Health Section, they do not raise any concerns from a land contamination perspective.

Groundwater

- 7.7.2 The application site is not located within a Source Protection Zone.

Air Quality

- 7.7.3 Policy FP7 of the Local Plan Partial Review (2026) 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).

- 7.7.4 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.

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 Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because the following statutory exemption or transitional arrangement is considered to apply.
1. Development below the de minimis threshold, meaning development which:
 - a) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
 - b) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

7.9 Other Matters

Sustainable construction and climate change

- 7.9.1 Under the Local Plan Partial Review, Policy FP1 has been revised to cover sustainable drainage and Policy SP1: climate change, is the new relevant policy in this regard. The fundamental objective of Policy SP1 remains the same as previous policy FP1, however, it sets out in more detail the objectives to adapting to climate change. This policy requires, amongst other things off setting of emissions targets if not met on site, water usage targets, rainwater harvesting, grey water recycling, use of sustainable materials and practices on site, ultra-low and zero carbon combined heat and power systems and urban greening (green roofs and walls). This policy is further supported by a suite of new climate change policies, CC1 through 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.
- 7.9.2 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.

- 7.9.3 The updated site layout plan, 21123-P002-D, includes a climate change statement information box that states the proposed development will be insulated to the relevant Building Regulation standards to reduce heat loss and it will be as airtight as practicable. Fenestrations will be double glazed to maintain internal temperatures and all radiators will be fitted with thermostatic controls. Water usage will be limited through dual flush cisterns and aerated taps with low-capacity bathtubs. Hot water supplies will be fitted with a blending valve to keep maximum temperatures below the main system temperature. Roof voids are to be fitted with 300mm insulation and cavity walls to be filled with 150mm insulation to meet relevant Building Regulations. These measures are all considered acceptable and can be secured via the imposition of a compliance condition should permission be granted.

Waste and Recycling

- 7.9.4 The Design Guide (2025) states provision should be made within new development for the storage and collection of waste from a site. The originally submitted plans showed the use of Euro Bins for each main building that would have been entirely unacceptable for occupiers to move to collection points. Subsequently, an amended layout plan was submitted to show that each main building would have storage units for individual household bins and a communal collection point near the front of the site which was agreed as acceptable by the Highways Authority although they state that the details are subject to approval by the Local Authority and not the Highways authority.
- 7.9.5 However, following the land ownership issue that meant a further revised site layout was required in June 2026, the communal collection point has been removed, although it should be noted that the storage areas adjacent to each building would remain. Further, the applicant is now advising that the waste and recycling will be collected by a private contractor and not the Council.
- 7.9.6 An amended TS was submitted in April 2026 which included revised swept path analyses that show that vehicles of a fire tender size can easily manoeuvre around the entirety of the site which would also mean that a refuse vehicle could also manoeuvre around the site. The latest revised TS (Revision E, June 2026) also confirms that Fire Tender sized vehicles could still manoeuvre around the site. In this regard, it was not felt necessary to re-consult the Highways Authority because they have already agreed that Fire Tenders (and therefore refuse vehicles) could manoeuvre within the site and that the details of waste and recycling is ultimately a Local Authority issue and not a Highways Authority issue.
- 7.9.7 The Council's Environmental Operations team have failed to provide any comments on the application and as such it is considered reasonable and acceptable to impose a condition that requires full details of the storage units prior to the first occupation of the site so that the Council has opportunity to ensure that the storage units are capable of holding the number of bins required. It is noted that no objections were raised to the same set up on the 2023 planning permission.
- 7.9.8 Additionally, given the applicant's desire to now utilise a private collection company, it is considered reasonable and necessary to impose a condition that requires the submission of full details of how this would be undertaken and managed.
- 7.9.9 Given the aforementioned, with an appropriate condition in place, suitable refuse and recycle storage facilities can be delivered to meet the criterion set out in the Council's Design Guide SPD (2023).

Community Infrastructure Levy

7.9.10 Stevenage Borough Council adopted its revised Community Infrastructure Levy (SCIL2) Charging Schedule 22 July 2026. This allows the Council to collect a levy to fund infrastructure projects based on the type, location and floor space of a development, in line with the following rates (plus indexation):

Table 1: SCIL2 charging rates for all development in Stevenage		
Development Type	CIL Rate (£ per Square metre)	
	Zone 1: Stevenage Central	Zone 2: Everywhere else
Residential		
Market Housing	£50/m ²	£120/m ²
Sheltered Housing	£120/m ²	
Extra care Housing	£50/m ²	
Retail Development	£75/m ²	
Industrial Development	£40/m ²	
All Other Development	£0/m ²	

7.9.11 SCIL2 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 SCIL2 charge exist and will be taken into account in the calculation of the final SCIL2 charge.

7.9.12 SCIL2 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.

7.10 Matters Raised in Representation

7.10.1 Sewerage and drainage are matters for Building Control.

7.10.2 Concerns regarding the applicant's intentions to create HMOs are not material planning considerations. It should also be noted that the current applicant is not the same applicant as that who submitted the 2023 planning application for single family dwellings.

7.10.3 The application is not of a type that is required to be submitted through Gateway One and therefore a fire strategy/statement is not required. Fire safety will however be dealt with by Environment Health through the HMO Licence.

7.11 Equality, Diversity and Human Rights

- 7.11.1 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.
- 7.11.2 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.
- 7.11.3 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.
- 7.11.4 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.
- 7.11.5 In terms of inclusive access, the proposed development incorporates provision for disabled parking despite not being required by the Council's Parking Standards (2025). The external areas are designed as shared surfaces for vehicles and pedestrians, removing kerbs and facilitating level access across the site.

8. CONCLUSIONS

- 8.1 The proposed development would involve the provision of housing and the council's latest Housing Delivery Test result indicates that housing delivery was substantially below the housing requirement over the last three years. Therefore, the Council is required to apply the tilted balance by reason of its housing delivery position. Accordingly, Paragraph 11(d) of the NPPF is engaged and the subsequent presumption in favour of sustainable development is a key material consideration in the assessment of this application. This policy position tilts the planning balance in favour of the application.
- 8.2 The proposed development would provide a net increase of 15.6 housing units on the site based on the original site, or a net increase of 9.6 dwellings over the previously approved, and under construction development of 6no. dwellings. This makes a moderate contribution towards meeting the borough's housing needs. This carries significant weight in favour of the proposal. This is due to paragraph 11(d) of the NPPF being engaged. The application has demonstrated that the scheme would be capable of providing a good standard of accommodation.
- 8.3 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 (2024). Paragraph 125(c) of the NPPF places substantial weight on reusing brownfield sites and states that proposals should be approved unless substantial harm would be caused.

- 8.4 There would be some economic benefit during the construction phase, and future occupiers would be likely to contribute to local services and facilities. Given the quantum of development, it is considered that these benefits would be moderate and therefore attracts moderate weight in favour of the proposal.
- 8.5 The proposed development would have an acceptable impact on the amenities of neighbouring occupiers, and the collection of waste and recycling is likely to be acceptable; these are neutral matters.
- 8.6 The development has been assessed to be acceptable in terms of private amenity space in accordance with the adopted Design Guide (2025) and Policy GD1 of the Local Plan (updated 2026).
- 8.7 The cycle storage is likely to be acceptable but can be secured via the imposition a condition. Additionally, the Highways Authority have raised no concerns with highway safety. This carries moderate weight in favour of the proposal.
- 8.8 The car parking provision falls short of the required provision by one space, however, there is no parking on the highways closest to the site so there would be no overflow onto the street and no harm to highway safety in this regard due to Traffic Regulation Orders. Additionally, a failure of policy in this regard carries moderate weight against the proposal and when taken in context of the weight afforded to the delivery of much needed smaller units, does not warrant a refusal on this basis.
- 8.9 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 arising from the deficit of one parking space, noting also that the development remains liable for CIL and is acceptable in all other matters.
- 8.10 On balance, while the lack of one parking space weighs against the proposal, the significant public benefits arising from the delivery of housing in a sustainable location, combined with the weight attributed to the HDT position, are considered to outweigh the identified harms.
- 8.11 In conclusion, whilst the proposal has been assessed to contravene policy only through a failure of car parking provision, it is considered that the public benefits identified through the delivery of housing, on previously developed brownfield land, outweigh the harms identified. Therefore, despite the conflicts with the aforementioned Local Plan Policies, there are sufficient material considerations to indicate that planning permission should be granted in this instance.

9. RECOMMENDATIONS

- 9.1 That planning permission be GRANTED subject to the 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:
21123-P001-B; 21123-P003-1ST; 21123-P002-D;
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 or construction work relating to this permission that are audible at the site boundary shall be carried out on any Sunday, Public or Bank Holiday nor at any other time, except between the hours of 07:30 18:00 on Mondays to Fridays and between the hours of 08:30 and 13:00 on Saturdays.
REASON:- To safeguard the amenities of the occupiers of neighbouring properties.
- 4 The development hereby approved shall be constructed in accordance with the measures to address adaptation to climate change as laid out on approved plan 21123-P002-D.
REASON:- To ensure the development is adaptable to climate change through provision of energy and water efficiency measures.
- 5 Prior to the first occupation of the dwellings hereby permitted the access, turning and parking provision, as shown on the approved plans, shall be constructed, hardsurfaced and made ready for use. The parking areas shall be constructed in a porous material or provision shall be 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 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.
- 6 Prior to the first occupation of the HMOs hereby permitted, details of the cycle storage spaces shall be submitted to, and approved in writing by, the Local Planning Authority to ensure that each HMO can provide six storage spaces. The cycle storage shall be in accordance with the requirements of the Parking Provision Supplementary Planning Document (2025) and shall be retained and maintained accordingly for the lifetime of the development.
REASON:- To ensure that adequate cycle parking is provided in accordance with the Council's adopted supplementary planning.
- 7 Prior to the first occupation of the dwelling hereby permitted, details of the waste and recycling storage shall be submitted to, and approved in writing by, the Local Planning Authority. The storage thereafter shall be retained and maintained accordingly for the lifetime of the development.
REASON:- To ensure that adequate storage is provided for waste and recycling in accordance with the Council's adopted supplementary planning documents.
- 8 Prior to the occupation of the dwellinghouses hereby permitted, 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.
REASON:- To ensure construction of a satisfactory development and to promote sustainable development.

- 9 Prior to first occupation of the development hereby permitted, all dwellings which exceed a 45m distance from the access point on the public highway where a fire appliance will stop must be fitted with a sprinkler system.
REASON:- To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).
- 10 Prior to the first 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 how and when the waste and recycling shall be collected and a swept path analysis to show that collection vehicles can enter and exit the site in forward gear. The approved Waste Management Plan shall thereafter be adhered to for the lifetime of the development.
REASON:- To ensure the private management of the waste collection is acceptable.

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 its revised Community Infrastructure Levy (SCIL2) Charging Schedule at Full Council on 10 June 2026 and started implementing SCIL2 on 22 July 2026.

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 may be imposed. NB, please note that a Commencement Notice is not required for residential extensions if relief has been granted.

Stevenage's adopted SCIL2 Charging Schedule and further details of CIL can be found on the Council's webpages at www.stevenage.gov.uk/CIL or by contacting the Council's CIL Team at CIL@Stevenage.gov.uk.

3 Building Regulations

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

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

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

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

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

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

4 Party Wall etc. Act 1996

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

5 Biodiversity Net Gain

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

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

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

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

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

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

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

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

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

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

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

6 Environmental Health HMO Requirements

Where a property will be occupied as a House in Multiple Occupation by five or more persons, an application to the Council for a HMO Licence must be made in accordance with Section 63 of the Housing Act 2004. Further information on the Council's fire precautions and amenity standards for HMOs, and how to apply for a HMO licence, can be accessed via the Council's website at:

www.stevenage.gov.uk/housing/private-sector-housing/house-in-multiple-occupation.

It is recommended that the Council's Environmental Health team are contacted to arrange an inspection of the property either prior to, or at an early stage of, conversion works, to confirm what works would be required to ensure that the property is compliant with the Council's HMO standards.

7 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.

8 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.

- 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**
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.

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 August 2026

Author: Linda Sparrow

Lead Officer: Alex Robinson

Contact Officer: Linda Sparrow

Application No : 25/00854/FPM

Location : 40 - 60 Queensway Town Centre

Proposal : Change of use of part of ground floor retail unit (46 Queensway), second floor office units (40-56 Queensway) from Use Class (E) to residential Use Class (C3) to provide 26 flats. Extension of two additional storeys and creation of new bin store and rear access with associated external alterations.

Drawing Nos.: 1294.11.02.001; 1294.11.02.002; 1294.11.01.030; 1291.11.02.010; 1291.11.02.011; 1291.11.02.012; 1291.11.02.013; 1291.11.02.100; 1291.11.02.101; 1291.11.02.102; 1291.11.02.103; 1291.11.02.103; 1291.11.02.104; 1291.11.02.105; 1291.11.02.200; 1291.11.02.201; 1291.11.02.202; 1294.11.02.020; 1294.11.02.021; 1294.11.02.022;

Applicant : ABC Commercial Stevenage 2 Ltd

Agent: Bidwells LLP

Date Valid: 27 November 2025

Recommendation: GRANT PLANNING PERMISSION



1. SITE DESCRIPTION

- 1.1 The application site comprises a three-storey row of shops and offices on the western side of Queensway, to the south of the entrance to Westgate One shopping precinct. The ground floor is mostly made up of shops, whilst the upper floors comprise incidental storage space for the shop units and separate offices. Access is pedestrian only and can be taken from various points on Queensway as well as from the rear service yard on Westgate.
- 1.2 The site is located within the Town Centre Shopping Area. In the adopted Local Plan (2019), policy TC8 states that at ground floor, units 40 to 48 are primary retail frontages and units 50 to 60 are secondary frontages. It should be noted that through the Local Plan Partial Review, primary and secondary retail frontages have been deleted.
- 1.3 Units 40 to 44 are within the Town Centre Conservation Area.

2. RELEVANT PLANNING HISTORY

- 2.1 12/00441/AD Installation of 1no internally illuminated fascia sign and 1no internally illuminated projection sign. 02.11.2012 ADGRAN
- 2.2 24/00786/CPA Prior approval for the conversion of part ground, first and second floors of office building (Use Class (E) to 18no. one bedroom flats (Use class (C3)) 18.12.2024 PAGRAN
- 2.3 02/00566/AD 1 internally illuminated fascia sign and 1 internally illuminated under canopy sign 26.02.2003 ADGRAN
- 2.4 00/00165/FP New Shopfront 16.05.2000 PER
- 2.5 01/00115/AD Internally illuminated fascia sign 01.05.2001 ADGRAN
- 2.6 99/00401/FP Two Storey Rear Extension 26.11.1999 PER
- 2.7 12/00419/AD Installation of 1 x internally illuminated fascia sign and installation of 1 x internally illuminated projection sign. 23.11.2012 SPLIT
- 2.8 00/00199/AD Illuminated Fascia Sign 26.05.2000 ADGRAN
- 2.9 00/00200/FP New Shopfront 26.05.2000 PER
- 2.10 05/00429/FP Steel security shutter 13.12.2005 WDN
- 2.11 11/00563/AD Retention of 1no. internally illuminated fascia sign and 1no. internally illuminated projecting sign 05.12.2011 ADGRAN
- 2.12 11/00246/AD 1no. internally illuminated fascia sign and 1no. internally illuminated projecting sign 14.06.2011 ADGRAN
- 2.13 11/00247/FP Replacement shopfront 14.06.2011 PER

- 2.14 15/00470/AD Retrospective erection of 1 no. internally illuminated fascia sign and 2 no. internally illuminated hanging signs 05.10.2015 ADGRAN
- 2.15 04/00427/AD 1 no illuminated fascia sign and 1 no illuminated box sign 08.12.2004 ADGRAN
- 2.16 06/00655/AD 3 x internally illuminated fascia signs and 1 x internally illuminated hanging sign 17.01.2007 ADGRAN
- 2.17 06/00656/FP New shopfront and shutters 17.01.2007 PER
- 2.18 19/00644/FP Continued use of the first floor as Use Class D2 (Leisure) with ancillary Use Class A1 (Retail) 11.12.2019 PER
- 2.19 17/00311/FP Temporary Change of Use from Class B1 (Training Centre) to Mixed B1/D1 Use (Training Centre/Hearcare Audiologist) for a period of 18 months. 22.06.2017 PER
- 2.20 23/00502/FPM Change of use of ground floor retail unit (80 Queensway), first and second floor office units (58-80 Queensway) and Forum Chambers (all Use Class E) to residential use (Use Class C3) and all associated ancillary infrastructure, and the upward extension of two additional storeys and associated external alterations and works to create a total of 71 residential units. 31.01.2025 PER
- 2.21 25/00530/COND Discharge of condition 9 (Drainage Survey) attached to planning permission reference 23/00502/FPM 30.09.2025 DISCHA
- 2.22 25/00531/COND Discharge of condition 8 (Construction Management Plan) attached to planning permission reference 23/00502/FPM 02.09.2025 DISCHA
- 2.23 25/00543/COND Discharge of condition 11 (Cycle Parking) attached to planning permission reference number 23/00502/FPM 30.09.2025 DISCHA
- 2.24 25/00617/COND Discharge of Condition 15 (Travel Plan Statement) attached to planning permission reference number 23/00502/FPM 17.11.2025 DISCHA
- 2.25 25/00618/COND Discharge of Condition 12 (Swift Bricks) attached to planning permission reference number 23/00502/FPM 30.09.2025 DISCHA
- 2.26 25/00702/NMA Non material amendment to reserved matters approval 23/00502/FPM to change the wording of Condition 10 19.09.2025 AGREE
- 2.27 26/00082/COND Discharge of Condition 13 (Green Roof Drainage) attached to planning permission reference number 23/00502/FPM Pending.
- 2.28 26/00094/COND Discharge of Condition 10 (Material Samples) attached to planning permission reference number 23/00502/FPM 13.02.2026 DISCHA
- 2.29 12/00270/AD 1no. internally illuminated fascia sign and 2no.non illuminated panel signs 03.08.2012 ADGRAN
- 2.30 03/00159/FP Replacement shopfront 27.05.2003 PER
- 2.31 03/00160/AD 1 internally illuminated fascia sign and 1 internally illuminated under canopy sign 27.05.2003 ADGRAN

3. THE CURRENT APPLICATION

- 3.1 This application seeks planning permission for the change of use of part of the ground floor retail unit at 46 Queensway and the second floor office units at 40 to 56 Queensway from Use Class E to Use Class C3 (residential), and the erection of two additional residential storeys, to provide a total of 26 flats; together with the creation of a new bin store and rear access with associated external alterations.

4. PUBLIC REPRESENTATIONS

- 4.1 Following notification of the application via letters to neighbouring properties, site notices, and a press notice, public representations have been received from the following:
- Cycling UK
 - East Hertfordshire Swift Group
 - 12 Gilders, Sawbridgeworth
- 4.2 A summary of the comments received are set out below:
- Please consider securing swift bricks;
 - Cycling is affected by traffic orders in the area which need to be updated;
 - Cycle storage details are required per Manual for Streets.
- 4.3 The aforementioned is not a verbatim copy of the objections which have been raised.

5. CONSULTATIONS

5.1. Herts County Council Growth and Infrastructure Unit

Based on delivery of 17 net dwelling units we request £50,695 towards delivering a new primary school and £41,404 towards delivering a new secondary school at the former Barnwell East site/land at Redwing Close.

5.2 B.E.A.M.S (Council's Heritage Advisor)

Stevenage town centre conservation area is on the 'Heritage at Risk' register because its condition is poor, its vulnerability is medium, and its trend is deteriorating. The proposal would see the loss of the original Crittall windows which is regrettable, but they are in poor condition so the use of slim profile metal frame windows to match existing design would be acceptable. Beams support bringing upper floors into residential use as it would assist its refurbishment and maintenance. Raise significant concerns over the two-floor upwards addition as it will disrupt the consistent, strong, linear, 3-storey eaves line along Queensway. The approved application to the northern part of Queensway should not be used as a precedent to allow this application. Beams does not agree with the submitted Heritage Statement and find that the proposal will result in a low level of less than substantial harm to the nearby Grade II listed buildings and locally listed buildings but would result in a high level of less than substantial harm to the conservation area.

5.3 East of England Ambulance Service

26 new dwellings could generate 52 residents and an additional 12 calls per annum (0.6% increase). We request £8,034 towards the installation of EV charging infrastructure at the Stevenage Ambulance Hub. We also suggest that the Council secure contributions towards defibrillators (*unspecified contribution request but note the £500 per device annual maintenance cost for 10 years is specified*).

5.4 Herts County Council as Highways Authority

The site is in the town centre and benefits from excellent accessibility to sustainable transport modes. The scale of development is anticipated to generate a similar number of vehicle trips as the existing use and would not therefore result in a material increase or change of character of traffic in the vicinity. No detrimental harm to the highway safety is expected. We have no objections and do not wish to restrict the grant of permission subject to conditions for cycle storage details and a construction management plan.

5.5 Herts Police Crime Prevention Design Advisor

This application does not appear to have been designed with Secured by Design in mind. Having studied crime data for a 50m radius of the site from October 2024 to September 2025, there were 214 recorded crimes including criminal damage, arson, cycle theft, burglary, assault (including sexual assault), anti-social behaviour. We strongly recommend the applicant engages with us to achieve Secured by Design which would not address designing out crime but also climate change adaptations through carbon reductions in construction. We cannot fully support the application in the absence of Secured by Design but note that we are not objecting to the proposal.

5.6 Environmental Health

December 2025: No objection in principle. Owing to the site location, the noise assessment needs to take account of the mixed-use environment. Unsure how the NIA has arrived at some of the target figures so this needs to be clarified. The open-air communal amenity space has not been included in the assessment which needs to be remedied. Odour assessment needs to be provided. No concerns over contaminated land and recommend a standard condition. A construction management plan should be secured through condition.

March 2026: Noise levels that future occupiers would experience in the outdoor amenity area would comply with guidance in BS8233 and WHO publications, albeit near to the upper limits. Given the applicant is content to accept mechanical ventilation then noise from commercial activities can be suitably mitigated and secured via a condition. Odour mitigations will be incorporated into the mechanical ventilation and are considered acceptable.

5.7 Herts County Council as Lead Local Flood Authority

April 2026: Objection – the site is at risk in the 0.1% AEP event, and the applicant needs to provide additional information on whether safe access and egress can be achieved in a flood event.

July 2026: No Objection – the applicant has provided additional information as requested and we are now able to remove our objection. We would recommend a condition is imposed for a flood emergency plan to be submitted prior to occupation to ensure safe access and egress can be achieved.

5.8 Herts Fire and Rescue Service Water Officer

No objections or concerns raised but require a condition for the provision and installation of fire hydrants at no cost to the County Council.

5.9 Network Rail

Have no observations to make.

5.10 Thames Water

Surface water: no objection. Groundwater discharges: we expect the developer to demonstrate their measures and obtain relevant permits. Public sewers cross near the site so build over agreements may be required. Waste & Sewage: no objections.

5.11 UK Power Networks

There are high and low voltage underground cables on the site, so developer is required to obtain accurate site records from us. No objections raised.

5.12 SBC Traffic and Parking Enforcement Manager

No objections regarding the Travel Plan although greater provision of cycle visitor parking would be welcomed.

5.13 NHS England

No response received.

5.14 Affinity Water

No response 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 (updated 2026)
- 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 (Updated 2026)

- 6.6.1 The Stevenage Borough Local Plan 2011-2031 was adopted in 2019 and partially updated in 2026. 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 The policies most relevant to determining this application are:

Policy SP1: Climate Change
Policy SP2: Sustainable development in Stevenage;
Policy SP3: Strong, competitive economy
Policy SP4: A vital town centre
Policy SP5: Infrastructure;
Policy SP6: Sustainable transport;
Policy SP7: High quality homes;
Policy SP8: Good design;
Policy SP11: Flooding, drainage and pollution;
Policy SP13: The Historic Environment
Policy EC7: Employment development on unallocated sites
Policy TC1: Town Centre
Policy TC8: Town Centre Shopping Areas
Policy IT4: Transport assessments and travel plans;
Policy IT5: Parking and access;
Policy IT6: Sustainable transport;
Policy HO1: Housing allocations;
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 NH10: Conservation Areas

6.6.3 All of these policies are considered to be fully compliant with the NPPF.

6.7 Supplementary Planning Documents

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

6.8 Community Infrastructure Levy

- 6.8.1 Stevenage Borough Council adopted its revised Community Infrastructure Levy (SCIL2) Charging Schedule 22 July 2026. 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 principle of development, character and appearance and impact on heritage assets, impact on neighbouring amenities, car parking and highway safety, cycle provision, climate change, flood risk, ecology and biodiversity, and affordable housing and developer contributions.
- 7.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

7.2 Principle of Development

- 7.2.1 The 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.

Provision of Housing

- 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 26 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 The application site is not designated for any particular purpose in the local plan. The proposed development is therefore treated as windfall development and is subject to Policy HO5, which sets out criteria such development must satisfy. The proposal satisfies these criteria insofar as they relate to land use: the site is previously developed land (as defined by annex 2 to the NPPF); it enjoys good access to shops, schools and other local facilities necessary for day-to-day living; and the proposed development would not prejudice the delivery of housing on any allocated housing sites; and in light of the fact that SCIL2 would be payable, there is nothing to indicate that it would overburden infrastructure. The proposal is therefore considered to accord with Policy HO5 of the adopted plan.

Housing Mix

- 7.2.4 The proposed development would provide 26 dwellings, comprising 23no. one-bedroom units and 3no. 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.
- 7.2.5 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.
- 7.2.6 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.
- 7.2.7 The third consideration, at (a)(iii), concerns the location and accessibility of the site. The site lies in 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 the smaller unit mix it would deliver.
- 7.2.8 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.
- 7.2.9 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 in 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.

- 7.2.10 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. The accompanying text to this policy states that to be considered as aspirational flats, they need to be significantly larger than average and may include the provision of private outdoor amenity space or 'penthouse-style' units. The proposal does not seek to provide any units that would meet these criteria and is therefore a contravention of this element of Policy HO9.
- 7.2.11 Drawing these matters together, the proposal represents windfall residential development on previously developed land in a highly sustainable, town centre location. It would make a strong 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. 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.
- 7.2.12 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.

Loss of Offices / Impact on Retail Units

- 7.2.13 The application also proposes the change of use of approximately 40sqm of back-office space of retail unit 46 Queensway to provide a cycle storage area and approximately 10.5sqm of back-office space of retail unit 48-50 Queensway to provide a new lift and waiting lobby area.
- 7.2.14 Policy TC8 of the Local Plan (updated 2026) defines the spatial extent of the Town Centre Shopping Area (TCSA) and that within the TCSA, uses appropriate to a town centre as defined by Annex 2 of the NPPF will be supported. In this case, no loss of the existing retail offer is proposed, only back-office space would be lost to the cycle storage and lift.
- 7.2.15 It is considered that the proposals would not undermine the retained retail space at ground floor. This is because the proposal would not see a loss of active retail space, no loss of the retail frontages and the alterations to the rear of the premises would see the rear access to the retail shops either retained or re-provided. Additionally, where impacted, the existing staff welfare facilities would be re-provided. Finally, there would be no conflict with the proposed residential units as the ancillary retail storage areas at first floor would be retained and act as a separation between the two uses to mitigate any potential noise conflicts.
- 7.2.16 In this regard, the proposal is considered to be acceptable.
- 7.2.17 The first floor of the application site comprises ancillary retail storage areas and some office space whilst the second floor comprises office space. The application includes the conversion of approximately 663sqm of office space on the second floor to residential dwellings whilst the first floor does not form part of the application and therefore remains un-altered.

- 7.2.18 Policy EC7 protects against the loss of employment land, including offices, on unallocated sites across the Borough. Permission should only be granted for the loss of such land where it can be demonstrated that there is sufficient alternative employment land available elsewhere, that the proposal would provide overriding benefits against other Local Plan objectives, or that the land in question has remained vacant or been unsuccessfully marketed over a considerable period of time.
- 7.2.19 No marketing data has been provided with the application although the submitted Planning Statement confirms that there is no reasonable prospect of the space being used in its current condition and that the Council's Employment Technical Paper (2024) also confirms that there are more suitable and higher specification offerings elsewhere in the town. Further, this office space is provided as ancillary space to the ground floor retail units and can only be accessed internally through the retail units so this space has not, and cannot, be marketed as a standalone opportunity.
- 7.2.20 Accordingly, despite the lack of evidence provided for the unsuccessful marketing of the office space, it is considered that on the basis of the information provided, the Council is satisfied that there is sufficient alternative employment land available elsewhere. Furthermore, the conversion to residential use would bring a benefit to the town centre with increased footfall and preservation and maintenance of the existing building.
- 7.2.21 Having regard to the above, the proposal is considered to accord with relevant Local Plan policies in land use terms. Accordingly, the development is considered to be acceptable in principle.

7.3 Affordable and Accessible Housing

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 26-dwelling scheme, equates to a target of 7 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 applicant has provided a financial viability appraisal (FVA) that concludes on a 100% private basis and taking account of no financial contributions, the scheme will generate a negative residual land value of -£404,762.00. However, as the applicant is both the developer and the landowner, they are in a good position to monitor the financial performance. Further, sensitivity analysis indicates that some modest improvements in the economics of the scheme (i.e. build cost savings or uplift in sales values) could positively impact the viability of the scheme such that the conclusion is that whilst the scheme is unviable on current economics, it remains deliverable with no affordable housing.

- 7.3.4 The Council has had the FVA independently reviewed by Aspinall Verdi (AV). They conclude that the scheme would generate a negative outcome of -£135,753. Whilst the outcome is still an unviable development on a 100% private basis, the difference in the figures is explained by AV calculating build costs at over £200,000 less than the applicants FVA. They also agree with the applicants' FVA that small changes to the economics of the development could result in a positive impact to the financial situation and they agree that a review clause mechanism is a reasonable approach to this.
- 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. 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 (updated 2026).

Accessible and Adaptable Housing

- 7.3.7 Policy HO11 (accessible and adaptable housing) requires at least 10% of dwellings within major residential developments should comply with optional standard M4(3) for wheelchair user dwellings with a further 40% complying with optional standard M4(2) for accessible and adaptable dwellings. It goes on to state that the Council will apply this policy flexibly in recognition that it may not always be appropriate to provide M4(2) or M4(3) dwellings. This will include instances where providing step-free access would not be technically feasible, would not be financially viable, or would otherwise compromise the delivery of sustainable development.
- 7.3.8 Part 4 of the submitted Design and Access Statement confirms that 100% of the units will conform to M4(2). Noting that the policy wording does not make provision of wheelchair dwellings mandatory, the development is considered to accord with Policy HO11 of the Local Plan (updated 2026).

7.4 Design and visual impact

- 7.4.1 Policy GD1 of the local plan requires development to respect and make a positive contribution to its location and surrounds. This sits under the strategic objective of Policy SP8 to ensure that development achieves the highest standards of design.
- 7.4.2 The Council's Design Guide SPD (2023) sets out that a high-quality environment is essential for providing a good quality of life. A well-designed and managed space not only provides a visually attractive environment but can also help to ensure that a place is easy to move around and within, is safe and secure, and is useful for all members of the community.
- 7.4.3 The existing building on the site was constructed by 1959 as part of the first phase of the construction of the New Town. The Queensway frontage has a regular grid, defined by vertical concrete fins with continuous rows of windows and concrete panels on the faced closest to Town Square and yellow mosaic panels on the façade closest to the Westgate

shopping centre entrance. Upper floors to the rear are similar material palette, interspersed with buff coloured brickwork.

- 7.4.4 The building is now dated and in relatively poor condition, however it nonetheless makes a positive contribution to the character and distinctiveness of the area as an important example of original New Town architecture.
- 7.4.5 Queensway from the application site southwards towards The Towers and the library is generally of a similar age and style, notably maintaining the regular three-storey flat roofed appearance. However, taking Queensway north beyond Queensway Chambers, the vernacular changes with the original three-storey buildings having undergone upwards extensions to create two additional floors for residential and leisure use, with the visual appearance of the original buildings maintained. Park Place is notable for the recent re-development that saw the original buildings replaced with new, modern flatted developments with retail at ground floor and the use of white render and large balconies.
- 7.4.6 The planned regeneration of the Town Centre would see many buildings replaced with taller buildings of a mixed residential/retail/commercial use. Other parts of the Town Centre have also received planning permission for re-development involving significantly taller buildings, such as the former BHS building, New Look, and the vacant Forum site. Whilst each application is assessed on its own merits, it is an important point of context that the Town Centre is undergoing significant change and taller buildings are part of this new character.
- 7.4.7 The design and access statement accompanying the application demonstrates an excellent understanding of this context and New Town design principles. This is reflected in the proposed design, which consists of a two storey upward extension, the refurbishment of the existing facade Queensway and a new two storey brick extension to the rear for a access to the upper floors.
- 7.4.8 The refurbishment would involve the cleaning and repair of the existing textured concrete panels, and like-for-like replacement of the existing smooth panels, which are now considered to be worn beyond repair. All of the existing windows would be replaced by double glazed, aluminium-framed windows of the same size and proportions. Additionally, the proposal also includes communal landscaped amenity areas to the rear and green roofs.
- 7.4.9 The first of the additional floors would be in line with the existing frontage and the second of the additional floors would be set back approximately 1.8m from the Queensway frontage to appear subservient and not over burden the visual character of the street scene.
- 7.4.10 It is acknowledged that the height increase in this particular part of Queensway would be a new introduction but given the planned regeneration of the Town Centre, it would not be out of keeping with its surroundings.
- 7.4.11 The two-storey extension to the rear would be finished in similar materials to the surrounding buildings and would not appear over dominant in the street scene. It would be seen in the context of the taller building to which it would attach and therefore appears subservient in the street scene. It would provide a modern and clean entrance to the residential units and rear entrance to the existing commercial properties.

- 7.4.12 Comments from the Herts Police Crime Prevention Design (CPD) Officer are noted in regard to the fact the submission does not include details of Secured by Design to both address carbon reductions and design out crime. Being a Town Centre location, the application site is within a higher-than-average crime site for anti-social behaviour, noise, assaults, and/or theft/burglary.
- 7.4.13 The CPD Officer advises that whilst they cannot fully support the application, they are not objecting to it. In response, the applicant provided a written statement advising that the design of the development introduces one main communal residential entrance to the rear with improved public realm in the form of new paving, sensitive lighting, high-quality materials, which together are expected to create a safe, legible and welcoming route for residents and visitors. In these respects, officers consider that the development would be appropriately safe and would not contribute to crime or the fear of crime, in accordance with Policy GD1 of the local plan.
- 7.4.14 Overall, it is considered that the proposed development would result in a very significant visual improvement to the building's Queensway facade. The refurbishment and replacement of the existing finishes would result in a clean and improved visual appearance to the Town Centre, albeit the new upper floors would temper this somewhat. The additional floors, whilst taller than the immediate surrounding Queensway buildings, would sit well with the taller buildings to the north in Queensway and to the east in Park Place and would not appear especially prominently in views from around the town centre.
- 7.4.15 Therefore, it is considered that the proposed development would have an acceptable impact on the character and appearance of the area. In this respect, the proposal accords with Policies SP8 and GD1 of the Local Plan, which require developments to be of a high quality and sympathetic to their surroundings.

7.5 Heritage Impacts

- 7.5.1 Policies SP13 and NH10 of the adopted local plan require developments affecting heritage assets to be determined in accordance with national policy, having regard to any relevant conservation area management plan.
- 7.5.2 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) says that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 7.5.3 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires local planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas in the exercise of their functions.
- 7.5.4 Paragraph 212 of the NPPF (2024) states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 7.5.5 Paragraph 213 goes on to state that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

- 7.5.6 Paragraph 215 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 7.5.7 Paragraph 216 says that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 7.5.8 The application site comprises units 40 to 60 Queensway with units 40 to 44 being located within the Town Square Conservation Area; adjoining building 21 to 29 Town Square is a building of local interest; nearby buildings 41-55 Queensway and 6 to 8 Town Square are buildings of local interest; and the nearby Clock Tower, Joy Ride sculpture, and Tiles Mural on Primark are Grade II listed buildings – see Figure 1 for an illustration of this.



Figure 1; Extract from Heritage Statement showing site (red line) in context of the Conservation area (yellow line) and local important buildings (yellow blocks) and listed structures (blue blocks)

- 7.5.9 The Town Square Conservation Area is included in Historic England's 'Heritage at Risk' Register noting its condition is poor, its vulnerability is medium, and its trend is deteriorating. The Town Square Conservation Area Management Plan (CAMP, 2012) requires extensions and alterations to not dominate an existing building's scale or alter the composition of the main elevations. It notes that buildings are three-storeys with flat roofs and development over three-storeys will not normally be granted.
- 7.5.10 The application has been accompanied by Heritage Assessment (HA) which has assessed the impact of the development against each of the identified heritage assets in detail.
- 7.5.11 In regard to the conservation area, the HA concludes that the refurbishment of the second floor into residential use would provide a sustainable and long-term use for the currently vacant use which would enhance the vitality of the town centre through increased footfall which would in turn improve the quality of the conservation area. It goes on to conclude that the additional massing, whilst visible in longer views from within the conservation area, would be seen against the context of the currently under construction works to the north and the set back of the fourth floor would minimise visual intrusion in the street

scene. Its design would match that of the existing floors below for visual cohesion and harmony. The rear extension adjoins the rear of buildings that are in the conservation area and would have a sensitive appearance with matching materials to surrounding buildings and design appearance. The inclusion of roof gardens and terraces would be a visual softening and improvement to the area. Overall, they conclude there would be a neutral impact on the conservation area.

- 7.5.12 In regard to the nearby listed buildings and local listed buildings, the HA concludes that there would be a negligible beneficial impact through visual improvements to the development site that would overall enhance the visual amenities of the surrounding area.
- 7.5.13 The Council's Heritage Advisor, BEAMS, have reviewed the application whilst they support the conversion of the existing building to residential use, they raise significant concerns over the upwards extension. They state that the upwards extension would disrupt the consistent, strong, linear, three-storey eaves line and the approved upwards extensions to the north should not be used as a precedent for this development.
- 7.5.14 They conclude that the harm to the conservation area is less than substantial, at the higher end of the scale and that the harm to the listed buildings and locally important buildings would be less than substantial at the lower end of the scale. Officers find no reason to disagree with this assessment.
- 7.5.15 In line with the NPPF, the identified harms should be weighed against the public benefits of the development. This test is applied in the conclusion of this report.

7.6 Impact on Neighbouring residential amenity

- 7.6.1 Policy GD1 of the local plan requires that developments do not have an unacceptable adverse impact on the amenities of neighbouring occupiers.
- 7.6.2 Policy FP7 requires all development proposals to minimise, and where possible, reduce air, water, light, and noise pollution. Planning permission will be granted when it can be demonstrated that the development will not have unacceptable impacts on general amenity and the tranquillity of the wider area.
- 7.6.3 The majority of the surrounding buildings are in commercial use as retail units at ground floor with associated storage and office space at first and second floor. However, there are residential units to the east in Park Place.
- 7.6.4 The proposed development is located a sufficient distance away from these properties so as not to appear overbearing. The submitted daylight and sunlight assessment also shows that there would be no adverse impact on these properties in terms of vertical sky component, daylight distribution, or annual probable sunlight hours.
- 7.6.5 In terms of the impact on neighbouring commercial uses, it is not considered that residential uses would pose a detrimental impact. The small loss of ancillary space to the rear of No.46 would not be detrimental to the retail operations of the premises.
- 7.6.6 Having regard to the above, it is considered that the proposed development would have an acceptable impact on the amenities of neighbouring occupiers. In this respect, the proposal accords with Policies GD1 and FP7 of the Local Plan.

7.7 Impact Upon Amenities of Future Residents

Internal Living Standards

- 7.7.1 Policies GD1 and SP8 of the Local Plan Partial Review (2026) relate to High Quality and Good Design. 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 sets out the minimum gross internal floor space standards for dwellings which is in line with the Government's nationally described space standards.
- 7.7.2 Following an assessment of the proposed 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

- 7.7.3 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.
- 7.7.4 The surrounding noise environment acts as a significant constraint on the proposed development. The proposed flats are a noise-sensitive use, and they would be located above retained retail units, which take deliveries to the rear of the building and often make use of noisy plant. It would be unacceptable for the proposed development to result in restrictions being placed on these existing businesses due to noise complaints from future residents, not just because it would violate the agent of change principle as set out in the NPPF but also because the town centre is the Borough's most important retail destination.
- 7.7.5 Following discussions with the applicant and the Council's Environmental Health officers, it has been determined that the development can be designed in such a way as to provide an acceptable noise environment for future occupants.
- 7.7.6 Given this, if members are minded to grant planning permission, then 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.

Private amenity space

- 7.7.7 In respect to private amenity space, the 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.
- 7.7.8 This could well apply to the current proposal, which is for flats located in the heart of the town centre, where there are a number of public open spaces within easy reach. However, the application nonetheless proposes a good amount of amenity space.
- 7.7.9 The first of the new upper floors would be set back from the rear elevation to allow for a 3.6m deep shared garden/community amenity area which will run the entire length of the development. This would include seating and planting/landscaping and comprises approximately 220sqm.

- 7.7.10 The second of the new upper floors would be set back from both the front and rear elevations such that small balconies can be incorporated to the front and no blockage of the aforementioned amenity space on the floor below. The balconies would vary between 10sqm and 20sqm. This is considered acceptable.
- 7.7.11 All flats would have access to the shared space as described in 7.7.9 and whilst 220sqm between 26 flats would not amount to 10sqm per unit, given the central town centre location with easy access to the excellent Town Centre Gardens just 5 minutes' walk from the site, the overall provision is considered acceptable.
- 7.7.12 Taking all the above into account, it is considered that the proposed development would offer a very good standard of accommodation. The proposed units would be of an adequate internal size and occupiers would benefit from access to either shared or private amenity space of a good level which is unusual for central town centre locations and is considered a benefit of the proposal. Future residents would also benefit from an acceptable noise environment. In these respects, and subject to the recommended conditions, the proposal is considered to accord with Policies SP8, GD1 and FP8 of the Local Plan.

7.8 Car Parking and Cycle Provision

Car parking

- 7.8.1 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.
- 7.8.2 The Parking Provision SPD requires one-bedroom flats to have 1 space and two-bedroom units to have 1.5 spaces. This amounts to 28 spaces once rounded up.
- 7.8.3 However, a discount could then be applied according to the site's accessibility. The application site is located in the Town Centre Residential Accessibility Zone whereby the reduction is between 75% and 100%. The requirements are therefore between 0 spaces (i.e. car-free) and 7 spaces for reduced provision.
- 7.8.4 The town centre is seen as the one place in the Borough where sustainable modes of transport may be entirely relied upon to serve new development, owing to its excellent public transport accessibility. Developers of car-free schemes may however be asked to contribute towards parking controls on surrounding streets to mitigate the potential impact of overspill car parking. They are also encouraged to contribute towards car-sharing schemes in order to discourage the use of private vehicles.
- 7.8.5 In this case, car-free development is considered to be appropriate given the site's very central location and excellent access to amenities and public transport. Officers are also mindful that there is no vehicular access to the front of the development and the land to the rear is not in the applicant's ownership and comprises an access road, service yard, and public pay & display parking so could not be utilised for private parking for the development.

- 7.8.6 Herts County Council as Highways Authority (HA) have reviewed the application and raised no concerns or objections. They note that the scale of development is anticipated to generate a similar number of vehicular trips as the existing use and therefore would be unlikely to result in a material increase or change in the character of traffic in the vicinity. They have requested conditions for a construction management plan and that the proposed cycle and bin storage areas are installed prior to occupation. These can be secured via the imposition of suitably worded conditions.

Cycle Storage

- 7.8.7 The Council's Parking Provision SPD (2025) requires 1 long-term space per bedroom and 1 short-term space per 40 units. On the basis of the 26 units providing 29 bedrooms, the total requirement for cycle storage would be 29 long-term spaces and 1 short-term visitor space.
- 7.8.8 The proposal only includes for 24 spaces, arranged in single-tier Sheffield stands, which is a deficit of 6 spaces and therefore contrary to Policy IT5.
- 7.8.9 Having regard to all of the above, the proposal is considered to be contrary to Policy IT5 because of an overall lack of cycle parking provision. However, in all other respects, it is considered to be consistent with the policy.

7.9 Impact on the Environment

- 7.9.1 The application site is an existing commercial building in the town centre and would have been fields prior to its construction. Therefore, there would be very low risk of contamination.
- 7.9.2 Following consultation with the Council's Environmental Health section, they have raised no concerns from a land contamination perspective subject to the imposition of conditions. The conditions imposed would require a remediation strategy to be submitted for approval in the event that contamination is identified during the construction phase of development.

Groundwater

- 7.9.3 The application site is not located within a Source Protection Zone, and no concerns have been raised by Affinity Water or Thames Water with respect to potential impact from the development.

Air Quality

- 7.9.4 Policy FP7 of the adopted Local Plan (updated 2026) 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).
- 7.9.5 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 pollutions which are generated during the construction phase of development.

- 7.9.6 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.

Light Pollution

- 7.9.7 In terms of light pollution, Policy FP7: Pollution of the adopted Local Plan (updated 2026) requires all development proposals should minimise, where possible, light pollution. Applications for development where pollution is suspected must contain sufficient information for the application to make a full assessment 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.
- 7.9.8 Turning to the operational side of the development, the development would be set back from the main highways and therefore any external lighting is not considered to prejudice highway safety or cause a substantive nuisance to neighbouring residential properties.
- 7.9.9 In terms of lighting associated with the construction aspect of the proposed development, this is dealt with as part of a Construction Management Plan.

7.10 Development and Flood Risk

- 7.10.1 In the emerging Local Plan Partial Review and update (2026), 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.
- 7.10.2 The application proposes only a small increase in footprint of the building through the addition of the two-storey rear extension; however, it should be noted that this extension would be constructed on land that is already hard surfaced and therefore no increase in hard surfaces is proposed.
- 7.10.3 As the application is considered a major application, it has been accompanied by a flood risk assessment (FRA) and drainage strategy. The site located wholly within Flood Zone 1 which has a less than 0.1% annual probability of flooding. Additionally, the Environment Agency's Long Term Flood Risk Map (surface water) categorises the northern part of the site as being at very low risk (less than 0.1%) and the southern part of the site as being low risk (1% - 3.3%) of surface water flooding. A small area to the south-west is classified as being at high risk (over 3.3%) chance of surface water flooding.

- 7.10.4 Flood depth mapping indicates depths across the majority of the site remaining below 20cm in all scenarios, even for the higher risk areas of the site which are passable by people and vehicles.
- 7.10.5 The recommended drainage hierarchy is for water to be collected for re-use, then utilising soakaways or infiltration, followed by discharging to an appropriate watercourse or, lastly, discharge to surface water sewer or drainage system. In this instance, the FRA sets out that water re-use is not feasible in a change of use scenario, the constriction of the site boundary means discharge to a soakaway is also not feasible and the site is separated from the Stevenage Brook by third-party land so discharge to watercourse is not possible. Give this, the FRA sets out that the proposal will discharge to surface water sewer.
- 7.10.6 Herts County Council as Lead Local Flood Authority (LLFA) have reviewed the application and initially raised an objection solely relating to the surface water flood risk and how it pertains to access and egress of the building by people if flooded.
- 7.10.7 Following this request, an updated FRA was submitted to the LLFA for review. In this update, and accompanying letter, it notes that the proposal is for the conversion of the existing building with upper floor extensions and as such raising of existing floor levels is not possible. Notwithstanding this, it notes that given the depths of flooding likely to be experienced in this zone, i.e. 20cm, that safe access and egress could be achieved without any mitigations needed. They assess the site as being negligible to low risk of flooding from all sources of flood risk during present day and climate change events.
- 7.10.8 Officers note that in any event, the only development proposed at ground floor level is the entrance lobbies and stair cores. Consequently, even during the most severe event, the proposed flats would not be flooded.
- 7.10.9 The LLFA have provided an updated response that they are satisfied with the information provided and remove their objection, subject to a condition that requires the submission of a flood emergency plan prior to occupation of the development. Subject to this condition, the proposal accords with Policies FP1 and FP2 of the local plan

7.11 Landscaping, Biodiversity, Ecology and Protected Species

- 7.11.1 Policy NH5 of the adopted Local Plan states that development proposals will be expected to protect and retain individual trees within the development site and should include new planting where appropriate. Policy SP12 requires development proposals to have an acceptable impact on green infrastructure and the natural environment.
- 7.11.2 There are no trees on the application site, and none are proposed due to the nature of the site.
- 7.11.3 With regards to landscaping, the site comprises approximately 230sqm of communal amenity space on the upper floor and green roofs where appropriate. No plans have been provided at this stage but could be reasonably secured via the imposition of suitably worded condition.
- 7.11.4 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.

7.11.5 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.

7.11.6 In this instance, the development meets the *De Minimis* exemption because it does not impact on onsite priority habits and impacts less than 25sqm of onsite habitat and less than 5m linear length of hedgerow.

7.11.7 Notwithstanding this, whilst the site is exempt, it should be noted that the provision of communal landscaped amenity areas and green roofs will provide some biodiversity value. It is also recommended to secure swift bricks via suitably worded condition.

7.11.8 Having regard to the above, and subject to the recommended condition, it is considered that the proposed development would have an acceptable impact on ecology and biodiversity and a lack of provision of new trees is acceptable in this instance in this location. In this respect, the proposal accords with Policies NH5 and SP12 of the Local Plan.

7.12 Climate Change

7.12.1 Policy CC1 of the local plan says that where appropriate, and subject to considerations including development viability, major developments should be net-zero carbon in operation. Policy CC3 requires residential developments to achieve wholesome water use of no more than 110L per person per day.

7.12.2 The application is accompanied by an Energy and Sustainability Statement which sets out in great detail how the development will be sustainably constructed and the measures to incorporate climate adaptations.

7.12.3 The refurbishment of the existing building is expected to achieve a 42% reduction in carbon emissions whilst the construction of the additional floors is expected to achieve a 16% reduction which are significant improvements to the performance of the existing building. Whilst this falls short of being net-zero, the proposed reduction in emissions vs the Building Regulations is considered acceptable in view of the fact that the development is not financially viable as submitted and pursuing further emissions reductions would materially worsen the viability position. In this respect, the proposal accords with Policy CC1.

7.12.4 Energy efficient appliances, heating, and lighting, water efficiency of less than 105l per person per day, as well as locally sourced materials for construction where possible are all proposed. The proposed level of water efficiency is in accordance with Policy CC3.

7.13 Waste and Recycling

7.13.1 Policy GD1 and the Design Guide (2025) state that provision should be made within new developments for the storage and collection of waste.

7.13.2 Using the Council's Environmental Operations teams' calculator, there would be a requirement for 12no. 360l recycling vessels, 3no. 240l food waste vessels, and 3no. 1,100l waste vessels. A total space requirement of 8,340 litres.

7.13.3 The submitted plans show a bin store at the rear of the building that details 5no. 660l recycling vessels, 2no. 240l food waste vessels, and 5no. 1,100l waste vessels. Whilst this composition is not aligned with the Council's requirements, it does show a bin store capable of accommodating over 9,200 litres of bin space. As such, it is considered that the proposed bin store could accommodate the lesser volume as required by the Council. A condition can be imposed to secure this.

7.13.4 Given the aforementioned, with an appropriate condition in place, suitable refuse and recycle storage facilities can be delivered to meet Policy GD1 of the Local Plan and the Design Guide SPD (2025).

7.14 Community Infrastructure Levy

7.14.1 The Stevenage Borough Council adopted its revised Community Infrastructure Levy (SCIL2) Charging Schedule 22 July 2026. This allows the Council to collect a levy to fund infrastructure projects based on the type, location and floor space of a development, in line with the following rates (plus indexation):

Table 1: SCIL2 charging rates for all development in Stevenage		
Development Type	CIL Rate (£ per Square metre)	
	Zone 1: Stevenage Central	Zone 2: Everywhere else
Residential		
Market Housing	£50/m ²	£120/m ²
Sheltered Housing	£120/m ²	
Extra care Housing	£50/m ²	
Retail Development	£75/m ²	
Industrial Development	£40/m ²	
All Other Development	£0/m ²	

7.14.2 SCIL2 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 SCIL2 charge exist and will be taken into account in the calculation of the final SCIL2 charge.

7.14.3 SCIL2 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.

7.15 Developer Contributions

- 7.15.1 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.
- 7.15.2 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.
- 7.15.3 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.
- 7.15.4 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 £50,695 towards primary education, requested by Hertfordshire County Council;
 - A contribution of £41,404 towards secondary education, requested by Hertfordshire County Council;
 - A contribution of £8,034 towards electric vehicle charging points at the East of England Ambulance Stevenage Hub building; and
 - A contribution of £5,000 towards the Council's cycle hire scheme, as suggested by the Council's Developer Contributions Supplementary Planning Document.
- 7.15.5 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.
- 7.15.6 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.
- 7.15.7 The requested contribution of £8,034 towards the installation of electric vehicle charging points at the Stevenage ambulance hub is considered to fail the first of the Regulation 122 tests. The installation of EV charging points at an independent location would have no direct link to the proposed development and the requested contribution is therefore not necessary to make the development acceptable in planning terms.

- 7.15.8 The remaining obligations (i.e. the primary and secondary education contributions 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.
- 7.15.9 Whilst the independently verified viability evidence demonstrates that the development cannot support financial contributions, it also concluded that small changes to the economics of the development could result in a positive impact to the financial situation. In light of this, the applicant has agreed to the full value of the cycle hire contribution.
- 7.15.10 Further, they have agreed to a contribution towards education as sought by Herts County Council; however, there are ongoing negotiations as to what level of contribution can reasonably be provided. The applicant has agreed to a late-stage review clause to be included to secure uplift in profits towards education (shared with the Council for affordable housing). Should members be minded to grant planning permission then it is requested that this be delegated to the Director of Planning and Regulation to finalise.
- 7.15.11 Monitoring fees will also be required for both the Council and HCC to cover the cost of administering the above obligations.

7.16 Equality, Diversity and Human Rights

- 7.16.1 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.
- 7.16.2 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.
- 7.16.3 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.
- 7.16.4 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.
- 7.16.5 In terms of inclusive access, in accordance with Policy HO11: Accessible and Adaptable Housing of the adopted Local Plan (2026), as this is a major scheme, at least 50% of all new dwellings will need to be category 2: accessible and adaptable dwellings. There is no mandatory requirement to provide wheelchair accessible dwellings and subsequently, no requirement to provide disabled parking or accessible cycle storage.
- 7.16.6 In the absence of any other apparent ways in which the development might impact persons with protected characteristics, it is considered that a decision to grant planning permission would be in accordance with the PSED

8. CONCLUSIONS

- 8.1 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.
- 8.2 The proposed development would provide 26 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.
- 8.3 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 substantial weight on reusing brownfield sites and states that proposals should be supported unless substantial harm would be caused.
- 8.4 There would be some economic benefit during the construction phase, and future occupiers would be likely to contribute to local services and facilities. These economic benefits attract moderate weight in favour of the application.
- 8.5 A car-free development is considered acceptable in this highly sustainable central town centre location, which is a neutral matter. Additionally, HCC Highways have determined that the development would not harm highway safety.
- 8.6 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 in accordance with the adopted Design Guide SPD and Policy GD1 of the Local Plan (updated 2026); these are neutral matters.
- 8.7 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.
- 8.8 The proposal has been assessed to be acceptable in regards to impacts on the vitality and viability of the Town Centre in accordance with Policy TC8 as the existing retail floorspaces and active frontages on Queensway would be retained with staff access and welfare facilities maintained to ensure the proposal would not undermine the use of these retained premises.
- 8.9 The development would cause less than substantial harm, at the higher end of the scale, to the Town Square Conservation Area and would cause less than substantial harm at the lower end of the scale to the setting of the nearby listed buildings and locally important buildings. In accordance with paragraph 212 of the Framework, great weight is afforded to the conservation of these designated heritage assets. The harm requires clear and convincing justification and must be weighed against the public benefits of the proposal.

- 8.10 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, it is concluded that the public benefits of the development outweigh the harm to the heritage assets. 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).
- 8.11 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.
- 8.12 By reason of its viability, the development would not fully contribute towards mitigating the pressures it would place upon primary and secondary education provision, contrary to Policy SP5. However, the applicant has agreed to a contribution, at a level that is yet to be agreed by all parties. The weight attributed to this harm is limited, given that the development would comprise exclusively smaller units, all but three of them being one-bedroom flats, which are less likely to be occupied by families with children of school age.
- 8.13 The proposal conflicts with Policy IT5 through a substandard provision of cycle storage (six spaces), however, the applicant has agreed to a financial contribution towards the Council's cycle hire scheme.
- 8.14 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.
- 8.15 Drawing all of these matters together, the benefits of delivering 26 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.
- 8.16 The presence of an extant prior approval application (24/00786/CPA) for the site is also highly material. Prior approval has been granted for the change of use of the upper floors of 40-56 Queensway, which would provide 18 flats. The Government has also recently amended the General Permitted Development Order with the effect that the vacancy and overall size limitations have been removed. It is therefore highly likely that the remainder of the existing building could be converted under this regime.
- 8.17 Should this prior approval scheme be implemented, it would not involve the upward extension of the building. However, it would also not provide a refurbishment of the existing facades or outdoor amenity space, nor would it necessitate contributions towards primary education, affordable housing, or local employment and skills. The current proposal is therefore considered to be a considerable improvement upon this alternative application, and this only serves to reinforce the view that a decision should be made in accordance with the development plan and NPPF.

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;
 - A contribution towards primary and secondary education with a clawback mechanism;
 - A Contribution towards the Council's Cycle Hire scheme;
 - Apprenticeships and construction jobs;
 - Monitoring fees.

SUBJECT TO THE FOLLOWING CONDITIONS/REASONS

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
1294.11.02.001; 1294.11.02.002; 1294.11.01.030; 1291.11.02.010; 1291.11.02.011; 1291.11.02.012; 1291.11.02.013; 1291.11.02.100; 1291.11.02.101; 1291.11.02.102; 1291.11.02.103; 1291.11.02.103; 1291.11.02.104; 1291.11.02.105; 1291.11.02.200; 1291.11.02.201; 1291.11.02.202; 1294.11.02.020; 1294.11.02.021; 1294.11.02.022;
REASON:- For the avoidance of doubt and in the interests of proper planning
- 2 The development to which this permission relates 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 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the building(s) or the completion of the development whichever is the sooner. In regards to hard surfacing, this shall be carried out in accordance with any approved details within three months of the first occupation of the building or the completion of the development, whichever is the sooner.

REASON:- To ensure the development has an acceptable appearance and to protect the visual amenities of the area.

- 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.

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

- 8 At least 50% of the residential units shall be 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).

- 9 The development to which this permission relates shall be carried out in accordance with Energy and Sustainability Statement, Reference MB/VL/P25-3606/01, prepared by Create Consulting Engineers Ltd and dated October 2025 unless otherwise agreed in writing by the local planning authority.

REASON:- To ensure that the development mitigates and adapts to the negative effects of climate change.

- 10 No development shall commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the local planning authority, in consultation with the Highway Authority. This should be based on the Hertfordshire's Construction Management Template available from <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx#managementplans>. The development shall be carried out in accordance with the approved Construction Management Plan.

REASON:- In the interests of the living conditions of neighbouring occupiers and highway safety.

- 11 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.

REASON:- To ensure the development has a high quality appearance.

- 12 No development shall take place above slab level until details of swift bricks 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.

REASON:- To ensure that the development enhances the natural environment.

- 13 Prior to the first occupation of the dwellings hereby permitted, the cycle storage facilities as shown on approved plan 1291.11.02.100 shall be installed and be ready for use. The approved facilities shall be maintained and retained for the lifetime of the development.
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.
- 14 Prior to the first occupation of the dwellings hereby permitted the general waste and recycle stores as shown on approved plan 1291.11.02.100 shall be installed and made ready for use and retained and maintained accordingly for the lifetime of the development.
REASON:- To ensure the storage areas have an acceptable appearance and are of sufficient size to accommodate the number of bins which are required for this development.
- 15 Prior to the first occupation of the development to which this decision relates, a scheme of mechanical ventilation shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be installed in full prior to first occupation and thereafter be permanently retained as such unless otherwise agreed in writing by the local planning authority.
REASON:- To ensure acceptable living conditions as regards environmental noise and offensive odour for future occupiers of the development.
- 16 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.
REASON:- To ensure the development has an acceptable appearance and to protect the visual amenities of the area.
- 17 Prior to the first occupation of the development, a Flood Emergency Plan shall be submitted to and approved in writing by the Local Planning Authority.
REASON:- To ensure the flood risk is adequately addressed, not increased and users remain safe for the lifetime of the development.

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 **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 **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>

5 **Thames Water**

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

6 **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.

- 7 **UK Power Networks**
Please note there are HV/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 our Plan Provision Department at UK Power Networks, Fore Hamlet, Ipswich, IP3 8AA.
- 8 **Herts Police Crime Prevention Design Advisor**
Prior to construction the developer is advised to contact the Hertfordshire Constabulary CPDS with a view to seeking to achieve accreditation to the Police preferred minimum security standard that is Secured by Design. The reason for this is to ensure that the development is compliant with both National and Local Planning Policies, in addition, this will also demonstrate the discharge of obligations under Approved Document 'Q' - Security of Building Regulations".
- 9 **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**
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>
- 12 **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.

- 13 **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.
- 14 **Community Infrastructure Levy**
Stevenage Borough Council adopted its revised Community Infrastructure Levy (SCIL2) Charging Schedule at Full Council on 10 June 2026 and started implementing SCIL2 on 22 July 2026.
- 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 may be imposed. NB, please note that a Commencement Notice is not required for residential extensions if relief has been granted.
- Stevenage's adopted SCIL2 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.
- 15 **SBC Engineering Department**
In any areas where works are proposed that affect the public streets on Danestrete, Westgate, The Forum or Queensway, separate consent will need to be sought from the Council's Engineering Service prior to the commencement of development. They can be contacted on engineers@stevenage.gov.uk.

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.

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

Date: 4 August 2026

Author: Linda Sparrow

Lead Officer: Alex Robinson

Contact Officer: Linda Sparrow

Application No : 26/00424/FPH

Location : 4 Nursery Cottage Symonds Green Lane

Proposal : First floor rear extension over existing single storey rear extension
Drawing Nos.: 1003-02-EBP; 1003-01-SLP; 1003-03-PBP; 1003-04-EPE ISSUE C; 1003-05-EPE ISSUE C;

Applicant : Gavin Davies

Agent: n/a

Date Valid: 1 June 2026

Recommendation: GRANT PLANNING PERMISSION



1. SITE DESCRIPTION

- 1.1 The application site is a three-bedroom semi-detached dwelling located at the southern end of Symonds Green Lane and within the Symonds Green Conservation Area. The property is one of 4 (2 pairs) dwellings that were constructed to house local workers in the 1940's. They are considered to make a positive contribution towards the character of the conservation area.
- 1.2 The modest semi-detached pairs are of brick construction, rendered at first floor level with a gabled tile roof and a shared central gabled roof to front and rear elevations. The rear of no. 4 is not visible from Symonds Green Lane due to the close proximity of the adjacent dwelling to the south but would be visible from the access drive to the rear.

2. RELEVANT PLANNING HISTORY

- 2.1 18/00649/FPH Single storey rear extension. Granted 11.12.2018.

3. THE CURRENT APPLICATION

- 3.1 This application seeks planning permission for the erection of a first-floor rear extension over the existing single storey rear extension that was built under planning permission reference number 18/00649/FPH.
- 3.2 The application comes before the Planning Committee as the applicant is related to a member of staff at the Council.

4. PUBLIC REPRESENTATIONS

- 4.1 Following notification of the application via letters to neighbouring landowners, a site notice, and a press notice, no comments have been received.

5. CONSULTATIONS

- 5.1. BEAMS (Council's Conservation Advisor)
 - 5.1.1 BEAMS provided pre-application advice on the proposal, and the proposal was amended. The extension is large and does unbalance the pair when viewed from the rear. However, the eaves line of the extension now corresponds with the eaves line of the property and external materials are to match existing. The extension will not be visible from Symonds Green Lane due to the position of housing either side and, on balance, the proposal is considered to preserve the significance of the Symonds Green Conservation Area in accordance with National and Local Plan Policy. A condition requiring materials to match existing is recommended.

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 (updated 2026)
 - 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 (Updated 2026)

- 6.5.1 The Stevenage Borough Local Plan 2011-2031 was adopted in 2019 and partially updated in 2026. 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 The policies most relevant to determining this application are:

Policy SP8: Good design;
Policy SP13: Historic Environment;
Policy IT5: Parking and access;
Policy GD1: High quality design;

- 6.5.3 All of these policies are considered to be fully consistent with the NPPF.

6.6 Supplementary Planning Documents

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

6.7 Community Infrastructure Levy

- 6.7.1 Stevenage Borough Council adopted its revised Community Infrastructure Levy (SCIL2) Charging Schedule 22 July 2026. 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 design and visual impact on designated heritage assets, impact on neighbouring amenities, 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 Design and visual impact on heritage assets

7.2.1 Policy GD1 of the local plan requires development to respect and make a positive contribution to its surroundings. Policies SP13 and NH10 of the adopted local plan require developments affecting conservation areas to be determined in accordance with national policy, having regard to any relevant conservation area management plan.

7.2.2 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires local planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas in the exercise of their functions, whilst 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.

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

7.2.4 The significance of the conservation area is as the remnant of an 11th century agricultural hamlet, which evolved over subsequent centuries into what is now a suburb of Stevenage New Town. It has a distinctive rural character and contains a number of listed and locally listed buildings.

7.2.5 The proposal seeks to erect a gabled roof first floor extension over part of the existing single storey extension. The proposed works would contain a bedroom and en-suite bathroom and would measure proximately 4m wide and 6m deep; it would be set off the shared boundary by approximately 1.7m. The eaves and ridge line of the proposal would be in line with the eaves and ridge line of the shared gable roof to mitigate the visual impact.

7.2.6 The application is accompanied by a heritage statement which has been reviewed by the Council's Heritage Advisor, BEAMS. They have raised no objections although noting that the proposal would visually un-balance the appearance of the semi-detached dwellings when viewed from the rear. However, they go on to conclude that the development would preserve the character of the conservation area in accordance with the requirements of the NPPF and Policy SP13 of the Local Plan. Officers find no reason to disagree with this assessment.

7.2.7 In this regard, the proposal is considered acceptable as it complies with the relevant Local Plan policies and the NPPF.

7.3 Impact on Neighbouring residential amenity

- 7.3.1 Policy GD1 of the local plan requires that development does not lead to an unacceptable adverse impact on the amenities of neighbouring occupiers.
- 7.3.2 The extension would be south-east of the attached neighbour and would give rise to some level of impact to this neighbour through its depth and height. The submitted plans confirm that the extension passes the 45-degree test on the neighbouring bedroom window on the elevation plans but fails the same test on plan form. Any extension over 3m deep would result in the same impacts. In this regard, and in line with the guidance in the Design Guide SPD (2025), the impacts on the neighbouring property are considered to be within acceptable limits.
- 7.3.3 Turning to No.5 to the south, this property is built staggered from the application property such that the proposed extension would be roughly in line with this neighbours' rear elevation. with no habitable room windows on their side elevation facing the application site, the proposal would not have a detrimental impact on this neighbour.
- 7.3.4 The property's own bedroom 2 adjacent to the extension fails the 45-degree test on plan form and elevation form and is therefore likely to have its levels of daylight and sunlight significantly impacted. However, as mentioned above, bedrooms require less natural light than other types of habitable room and given that the applicant would be impacting their own property, this would not be a sufficient reason for the Local Planning Authority to refuse permission on this basis alone.

7.4 Car Parking Provision

- 7.4.1 Policy IT5 of the local plan requires developments to provide parking in accordance with the council's Parking Provision SPD (2025).
- 7.4.2 The number of bedrooms in the property is not changing and as such no assessment of the car parking provision is required.

7.5 Biodiversity, Ecology and Protected Species

- 7.5.1 Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 sets out that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the 'biodiversity gain condition' requiring development to achieve a net gain of 10% of biodiversity value. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not apply in some circumstances.
- 7.5.2 Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because the following statutory exemption or transitional arrangement is considered to apply.
- 7.5.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

7.6 Other Matters

Sustainable construction and climate change

- 7.6.1 Under the Local Plan Partial Review, Policy FP1 has been revised to cover sustainable drainage and Policy SP1: climate change, is the new relevant policy in this regard. The fundamental objective of Policy SP1 remains the same as previous policy FP1, however, it sets out in more detail the objectives to adapting to climate change. This policy requires, amongst other things off setting of emissions targets if not met on site, water usage targets, rainwater harvesting, grey water recycling, use of sustainable materials and practices on site, ultra-low and zero carbon combined heat and power systems and urban greening (green roofs and walls). This policy is further supported by a suite of new climate change policies, CC1 through 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.
- 7.6.2 The application is accompanied by a Climate Statement with a sustainability section that states the development will be designed to meet or exceed where possible, the requirements of Approved Document L (Conservation of Fuel and Power) under the Building Regulations, including achieving relevant u-values, thermal bridging, relevant window energy ratings, and low energy lighting. Further the new bathroom will be fitted with water efficient devices to comply with Building Regulations Part G of 110l per person, per day.
- 7.6.3 The proposed development is therefore considered to be able to adapt to climate changes and is acceptable in this regard.

7.7 Equality, Diversity and Human Rights

- 7.7.1 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.
- 7.7.2 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.
- 7.7.3 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.
- 7.7.4 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.

- 7.7.5 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. CONCLUSIONS

- 8.1 The development plan policies most relevant for determining the application are considered to be up to date. Paragraph 11(d) of the NPPF is therefore not engaged and the proposal falls to be assessed against a straightforward planning balance.
- 8.2 The development is considered to be acceptable in all respects, including its impact on the character and appearance of the area, and on the amenities of neighbouring occupiers.
- 8.3 Having regard to the above, the proposal is considered to accord with the development plan when read as a whole. In the absence of any other material considerations indicating that permission should be refused, it is recommended that planning permission be granted.

9. RECOMMENDATIONS

- 9.1 That planning permission be GRANTED subject to the 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:
1003-02-EBP; 1003-01-SLP; 1003-03-PBP; 1003-04-EPE ISSUE C; 1003-05-EPE ISSUE C;
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.
- 4 No access shall be provided to the roof of the existing single storey extension by way of windows, doors or staircases and the roof of the existing extension shall not be used as a balcony or sitting out area.
REASON:- To protect the amenities and privacy of the occupiers of adjoining properties.

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

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

INFORMATIVE

1 Public Information on Planning Applications

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

2 Community Infrastructure Levy

Stevenage Borough Council adopted its revised Community Infrastructure Levy (SCIL2) Charging Schedule at Full Council on 10 June 2026 and started implementing SCIL2 on 22 July 2026.

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 may be imposed. NB, please note that a Commencement Notice is not required for residential extensions if relief has been granted.

Stevenage's adopted SCIL2 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 application is for householder permission.

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 which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

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 August 2026

Author: Linda Sparrow

Lead Officer: Alex Robinson

Contact Officer: Linda Sparrow

Application No : 26/00408/FP

Location : Land To The West Of The Tarmac Tennis Courts King George V Playing Field

Proposal : Installation of Space Age Musical Pavilion
Drawing Nos.: Block Plan; Y26-136-GA1 Rev A; Site Location Plan;

Applicant : Emily Peasgood Studio Ltd

Agent: SBC Regeneration Department

Date Valid: 28 May 2026

Recommendation: GRANT PLANNING PERMISSION



For illustrative purposes only

1. SITE DESCRIPTION

- 1.1 The application site falls within the King George V Playing fields, to the west of the tennis courts, south of the Millennium Gardens and to the north of the cricket club. King George V Playing Fields is designated as a principal Open Space. The site also lies in close proximity to the Old Town Conservation Area.

2. RELEVANT PLANNING HISTORY

- 2.1 25/00894/FP Construction of 3G non-infill floodlit play zone, including hard standing area and sports fencing. 23.02.2026 PER
- 2.2 25/00895/AD Display of 13no. non illuminated vinyl banners to play zone 23.02.2026 ADGRAN
- 2.3 26/00198/COND Discharge of conditions 8 (Noise Management Plan); and 9 (Construction Traffic Management Plan) attached to planning permission reference number 25/00894/FP 16.04.2026 DISCHA
- 2.4 26/00443/COND Discharge of condition 9 (Construction Traffic Management Plan) attached to planning permission reference number 25/00894/FP. PCO

3. THE CURRENT APPLICATION

- 3.1 This application seeks planning permission for the installation of a public sculpture.
- 3.2 The 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 the erection of site notices, no public representations have been received.

5. CONSULTATIONS

5.1. BEAMS (the Council's heritage Advisor)

The grey galvanised steel structure is open sided and relatively small scale; it will not look out of place adjacent to the Play Area and Tennis Courts. The piece of public art is an interesting concept and will preserve the setting, and significance, of the Stevenage Old Town Conservation Area in accordance with the NPPF and Local Plan Policy.

5.2. SBC Green Spaces Team

No comments received.

5.3. SBC Arboricultural 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 (updated 2026)
- 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 (Updated 2026)

- 6.5.1 The Stevenage Borough Local Plan 2011-2031 was adopted in 2019 and partially updated in 2026. 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. The policies most relevant to determining this application are:

Policy SP8: Good Design
 Policy IT5: Parking and access
 Policy GD1: High quality design
 Policy NH1: Principal Open Space
 Policy NH10: Conservation Areas

- 6.5.3 All of these policies are considered to be fully consistent with the NPPF.

6.6 Supplementary Planning Documents

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

6.7 Community Infrastructure Levy

- 6.7.1 Stevenage Borough Council adopted its revised Community Infrastructure Levy (SCIL2) Charging Schedule 22 July 2026. 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 impact on the visual amenities of the area, impact on neighbouring amenities, 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 Park under NH1/3 for King George V Playing Fields.

- 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 King George V Playing Fields is recognised as providing a wider than local role within the town, providing open space, children’s play area, and a variety of sporting pitches (such as football, cricket, hockey, tennis etc). The installation of a public sculpture of this size and scale is not considered to result in the loss of any of the Principal Open Space, and nor would it have any adverse impact upon the Principal Open Space or its use.

- 7.2.4 The installation of Public Art within the area would reasonably contribute to the Principal Open Space. The proposal accords with Policy NH1 and the principle of development is considered to be acceptable.

7.3 Design and visual impact, including impact on setting of heritage assets

- 7.3.1 Policies SP8 and GD1 of the Local Plan require developments to respect and make a positive contribution to its surroundings. Policies SP13 and NH10 of the adopted local plan require developments affecting conservation areas to be determined in accordance with national policy, having regard to any relevant conservation area management plan.

- 7.3.2 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires local planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas in the exercise of their functions, whilst 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.

- 7.3.3 The proposed sculpture would be 5m in diameter on the ground, 6.1m in diameter across the roof, with an overall height of 3.8m and constructed of galvanised steel which will weather naturally over time to a muted grey tone.
- 7.3.4 It has been designed to produce sound in response to rain in much the same way as wind chimes produce sound in response to wind. Water would be collected across the canopy roof and be directed through a system of tuned tongue drums that produce subtle and low-level ambient sound.
- 7.3.5 It would be sited on the open grass area adjacent to the tarmac tennis courts and would not obstruct any footpaths or sports pitches or children's play spaces. The Design and Access Statement sets out the design rationale by the designer – it is designed to sit lightly within the open landscape, its open-sided form maintains visual permeability and allows uninterrupted movements through the space, integrating comfortably with its surroundings.
- 7.3.6 The structure provides informal shelter and seating, encouraging people to pause, gather, and engage with the space. Its circular arrangement supports flexible use, allowing individuals and groups to occupy the pavilion in different ways, while maintaining an inclusive and accessible environment.
- 7.3.7 The Council's Heritage advisor, BEAMS, has assessed the application and raised no objections or concerns. They conclude that the development would preserve the character of the conservation area in accordance with the requirements of the NPPF and Policy SP13 of the Local Plan. Officers find no reason to disagree with this assessment.
- 7.3.8 In this regard, the proposal is considered acceptable as it complies with the relevant Local Plan policies and the NPPF.

7.4 Impact on Neighbouring residential amenity

- 7.4.1 Policy GD1 of the local plan requires that development does not lead to an unacceptable adverse impact on the amenities of neighbouring occupiers.
- 7.4.2 The nearest residential dwellings would be the houses and flats in Lintott Close, Sish Lane which are in excess of 70m from the application site and separated from the site by the Bowls Club.
- 7.4.3 Due to the significant separation distance combined with the fact that the sculpture would be ground mounted and would not result in excessive noise and no odour emissions, it is not considered the proposal would harm the amenities of the nearest residential properties.
- 7.4.4 In terms of impact on the surrounding area, the site falls within the King George V laying Fields which is well used for sports and children's play areas. Following construction, it is unlikely that any noise arising from the sculpture would be above and beyond that which occurs through users of the park already. Therefore, the proposal would not harm amenities more generally and in this respect, it accords with Policy GD1.

7.5 Impact on the Environment

- 7.5.1 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.

- 7.5.2 No comments have been received from the Leisure and Green Spaces Team.
- 7.5.3 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. It is located in a highly visible location and is not secluded, so the site retains the wider visibility it benefits from currently.

7.6 Biodiversity, Ecology and Protected Species

- 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 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

Community Infrastructure Levy

- 7.7.1 Stevenage Borough Council adopted its revised Community Infrastructure Levy (SCIL2) Charging Schedule 22 July 2026. This allows the Council to collect a levy to fund infrastructure projects based on the type, location and floor space of a development. Due to the nature of the proposed development, there is no CIL liability.

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 The proposal does not affect the accessibility into the King George V Playing Fields, 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 King George V Playing Fields. Furthermore, it would preserve the character and appearance of the conservation area and 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.
- 8.2 Given the aforementioned, the proposed development is considered to be acceptable in line with the Council adopted Local Plan (updated 2026), 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, 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:
Block Plan; Y26-136-GA1 Rev A; Site Location 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 its revised Community Infrastructure Levy (SCIL2) Charging Schedule at Full Council on 10 June 2026 and started implementing SCIL2 on 22 July 2026.

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 may be imposed. NB, please note that a Commencement Notice is not required for residential extensions if relief has been granted.

Stevenage's adopted SCIL2 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: 4th August 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 :	25/00750/FP
	Date Received :	15.10.25
	Location :	The Cromwell Hotel 25 - 27 High Street Stevenage Herts
	Proposal :	Works to boundary to create a new crossover, new vehicular access including boundary treatment
	Date of Decision :	13.07.26
	Decision :	Planning Permission is GRANTED

2.	Application No :	26/00195/FPH
	Date Received :	02.03.26
	Location :	The Driftway Rectory Lane Stevenage Herts
	Proposal :	Erection of single storey side extension, raising of the roof to create a flat roof parapet, changes to fenestration and external finish
	Date of Decision :	16.07.26
	Decision :	Planning Permission is GRANTED

3.	Application No :	26/00304/FP
	Date Received :	15.04.26
	Location :	Land To The South-East Of St Nicholas JMI School Six Hills Way Stevenage Herts
	Proposal :	Installation of public sculpture
	Date of Decision :	01.07.26
	Decision :	Planning Permission is GRANTED

4.	Application No :	26/00362/FP
	Date Received :	05.05.26
	Location :	5 Denton Road Stevenage Herts SG1 1SX
	Proposal :	Change of use of land from public amenity space to residential garden
	Date of Decision :	30.06.26
	Decision :	Planning Permission is GRANTED

5.	Application No :	26/00366/FP
	Date Received :	06.05.26
	Location :	St Mary's Church Shephall Green Stevenage Herts
	Proposal :	Alterations to fenestration and glazed extension to parish room, together with its refurbishment to provide level access to main church.
	Date of Decision :	03.07.26
	Decision :	Planning Permission is GRANTED

6.	Application No :	26/00373/FPH
	Date Received :	07.05.26
	Location :	23 Made Feld Stevenage Herts SG1 1PQ
	Proposal :	Extension of decking and concrete area to rear
	Date of Decision :	01.07.26
	Decision :	Planning Permission is GRANTED

7.	Application No :	26/00384/TPTPO
	Date Received :	11.05.26
	Location :	1 Olde Swann Court Stevenage Herts SG1 3WB
	Proposal :	Felling of 1no. Lime tree (T7) protected by TPO 61
	Date of Decision :	03.07.26
	Decision :	CONSENT TO CARRY OUT WORKS TO A TREE, THE SUBJECT OF A TREE PRESERVATION ORDER

8.	Application No :	26/00385/FPH
	Date Received :	12.05.26
	Location :	15 Woodland Way Stevenage Herts SG2 8BU
	Proposal :	Erection of single storey front and rear extension.
	Date of Decision :	06.07.26
	Decision :	Planning Permission is GRANTED

9.	Application No :	26/00388/FPH
	Date Received :	14.05.26
	Location :	48 Tamar Close Stevenage Herts SG1 6AS
	Proposal :	Single storey side extension
	Date of Decision :	09.07.26
	Decision :	Planning Permission is GRANTED

10.	Application No :	26/00396/TPTPO
	Date Received :	18.05.26
	Location :	41 Sish Lane Stevenage Herts SG1 3LS
	Proposal :	Works to trees protected by TPO 94: Oak (T1) - fell and remove stump, plant 1no. replacement tree; Oak (T2) - reduce crown 1m, thin crown 20%, remove epicormic growth and ivy.
	Date of Decision :	06.07.26
	Decision :	CONSENT TO CARRY OUT WORKS TO A TREE, THE SUBJECT OF A TREE PRESERVATION ORDER

11.	Application No :	26/00398/FPH
	Date Received :	19.05.26
	Location :	28 Newgate Stevenage Herts SG2 9DT
	Proposal :	Two storey rear extension
	Date of Decision :	14.07.26
	Decision :	Planning Permission is GRANTED

12.	Application No :	26/00403/FPH
	Date Received :	21.05.26
	Location :	2 Lintott Close Stevenage Herts SG1 3LZ
	Proposal :	Installation of a Air Source Heat Pump to the front elevation of the property
	Date of Decision :	13.07.26
	Decision :	Planning Permission is GRANTED

13.	Application No :	26/00407/COND
	Date Received :	22.05.26
	Location :	Land At Redcar Drive Stevenage Herts SG1 2EN
	Proposal :	Discharge of conditions 10 (Construction Management Plan); 11 (Site Waste Management Plan); 12 (Environmental Management Plan) and 13 (Arboricultural Method Statement) attached to planning permission reference number 24/00058/FPM
	Date of Decision :	10.07.26
	Decision :	The discharge of Condition(s)/Obligation(s) is APPROVED

14.	Application No :	26/00420/FPH
	Date Received :	28.05.26
	Location :	2 Thornbury Close Stevenage Herts SG2 8SQ
	Proposal :	Conversion of existing garage flat roof to a pitched roof
	Date of Decision :	14.07.26
	Decision :	Planning Permission is GRANTED

15. Application No : 26/00423/FP
Date Received : 29.05.26
Location : Verge On The West Side Of Larwood Drive Opposite Rusling Way Stevenage Herts
Proposal : Installation of micro battery storage equipment
Date of Decision : 14.07.26
Decision : **Planning Permission is GRANTED**

16. Application No : 26/00432/NMA
Date Received : 04.06.26
Location : 39 Broadwater Crescent Stevenage Herts SG2 8EJ
Proposal : Non-material amendment to planning permission 26/00086/FPH in relation to Condition 3 (Matching Materials)
Date of Decision : 30.06.26
Decision : **Non Material Amendment AGREED**

17. Application No : 26/00437/FPH
Date Received : 05.06.26
Location : 37 Knights Templars Green Stevenage Herts SG2 0JY
Proposal : Erection of single story rear extension.
Date of Decision : 21.07.26
Decision : **Planning Permission is GRANTED**

18. Application No : 26/00457/HPA
Date Received : 15.06.26
Location : 370 Ripon Road Stevenage Herts SG1 4NQ
Proposal : Single storey rear extension which will extend beyond the rear wall of the original house by 5.50m for which the maximum height will be 3.10m and the height of the eaves will be 3.00m
Date of Decision : 13.07.26
Decision : **Prior Approval is NOT REQUIRED**

19. Application No : 26/00465/HPA
Date Received : 18.06.26
Location : 41 Valley Way Stevenage Herts SG2 9AD
Proposal : Single storey rear extension which will extend beyond the rear wall of the original house by 5.00m for which the maximum height will be 3.40m and the height of the eaves will be 3.00m
Date of Decision : 17.07.26
Decision : **Prior Approval is NOT REQUIRED**

20. Application No : 26/00481/FPHFT
Date Received : 24.06.26
Location : 15 Grenville Way Stevenage Herts SG2 8XZ
Proposal : Erection of single storey rear extension following demolition of existing conservatory
Date of Decision : 17.07.26
Decision : **Planning Permission is GRANTED**

21. Application No : 26/00516/COND
Date Received : 13.07.26
Location : Land At Redcar Drive Stevenage Herts SG1 2EN
Proposal : Discharge of condition 9 (Unexpected Contamination) attached to planning permission reference number 24/00058/FPM
Date of Decision : 21.07.26
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**

22. Application No : 26/00524/CLPDFT
Date Received : 14.07.26
Location : 75 Wheatlands Stevenage Herts SG2 0JU
Proposal : Lawful Development Certificate (Proposed) construction of loft conversion.
Date of Decision : 17.07.26
Decision : **Certificate of Lawfulness is APPROVED**

BACKGROUND PAPERS

- 1 The application file, forms, plans and supporting documents having the reference number relating to this item. 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/lt4-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:

Date: 4 August 2026

INFORMATION REPORT - APPEALS / CALLED IN APPLICATIONS

Author – Linda Sparrow

Lead Officer – Alex Robinson

Contact Officer – Alex Robinson

1. APPEALS RECEIVED

1.1 NONE.

2. DECISIONS AWAITED

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

3. DECISIONS RECEIVED

3.1 None.

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