

STEVENAGE BOROUGH COUNCIL

**PLANNING AND DEVELOPMENT COMMITTEE  
MINUTES**

Date: Tuesday, 8 September 2026

Time: 6.30pm

Place: Council Chamber

**Present:** Councillors: Claire Parris (Chair), Julie Ashley-Wren, Forhad Chowdhury, Peter Clark, Lynda Guy, Rob Henry, Ellie Plater, Jeff Bullock, Jackie Hollywell and Peter Wilkins

**Start / End**      Start Time:    6.30pm  
**Time:**            End Time:       7.15pm

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

Apologies for absence were received from Councillor Doug Bainbridge, Jody Hanafin and Nigel Williams.

Councillors Myla Arceno, John Blackwood and Jeff Bullock were in attendance as substitutes.

**2      MINUTES FROM THE PREVIOUS MEETING**

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

**3      25/00884/FP - ALDI STORE, FAIRLANDS WAY**

The Committee received a presentation on the application for the change of use of a Council-owned private car park to form part of the Aldi car park.

Members were advised that concerns raised by Cycling UK regarding existing cycle storage were outside the application site and were therefore not relevant to the determination of the application. Any issues relating to the existing cycle storage would be considered separately by officers.

Members were shown the original, amended and final plans, along with site plans. The original application included a pedestrian and cycle route through the car park, which would have required cyclists to dismount. Following concerns from Hertfordshire County Council (HCC) Highways and members of the public, alternative arrangements were considered.

The final proposal retained the shared pedestrian and cycle route around the outside of the car park, separated from vehicles by fencing. The route would also be provided with a new surface.

The Committee was advised that the existing Council car park contained 37 spaces. It was noted that 25 of these spaces would be incorporated into the new Aldi car park, five would remain available for Council use and seven spaces would be lost. Therefore, the car park would increase from 95 to 120 spaces.

The Council's Leisure and Green Spaces team had raised no objection to the loss of the car parking spaces, and officers considered that the operational and economic benefits outweighed the limited harm arising from the loss of seven spaces.

In respect of design, visual impact and heritage, the site would remain predominantly hardstanding, with enhanced landscaping proposed, and the setting of the Old Town Conservation Area would be preserved.

The Committee was advised that there was no significant impact on residential amenity anticipated. Existing access from Fairlands Way, public transport links and the wider pedestrian and cycle network would remain.

The amended plans addressed the concerns raised regarding the pedestrian and cycle route, and HCC Highways had subsequently withdrawn its objection.

It was noted that no existing trees would be removed, and the proposal included 10 new trees and additional landscaping.

Questions were raised to officers about pedestrian access, and it was confirmed that pedestrians may continue to take the shortest route through the car park, however the proposed route would provide the safest alternative and would be separated from vehicles.

Members were advised that the five spaces retained by the Council would continue to be available for sports users.

In response to a question regarding parking provision, officers explained that the existing Aldi parking provision was within the acceptable level under the Council's parking standards.

Members queried the Regeneration Manager's comments regarding connectivity and the Towns Fund. Officers clarified that the comments related to the proposal no longer met the Towns Fund funding criteria, and therefore the comments were related to this, rather than a planning objection.

A question was raised regarding biodiversity net gain and the use of native tree species. Officers confirmed that the biodiversity net gain condition would need to be fulfilled before development could commence.

Following the questions, a motion to proceed to the debate and vote was proposed and seconded.

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:

1426-CHE-120; 1426-CHE-121A; 1426-CHE-123; 1426-CHE-074-F; 14790L-ESL-XX-XX-D-L-1301\_P02; 1426-CHE-077-B;

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

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

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

4 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.

5 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.

6 Prior to the first occupation of the development hereby approved, details shall be submitted to and approved in writing by the local planning authority of the boundary treatments on the eastern side of the development that will ensure no motor vehicles can enter the adjacent King George V Playing Fields and that the existing bund remains in situ.

7 The Biodiversity Gain Plan shall be prepared in accordance with the Biodiversity Net Gain Assessment produced by Ecology Solutions, Report Ref 11810.BNGReport.vf2.

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

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

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

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

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

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

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

**INFORMATIVES**

### 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](http://www.stevenage.gov.uk/CIL) or by contacting the Council's CIL Team at [CIL@Stevenage.gov.uk](mailto:CIL@Stevenage.gov.uk).

### 3 **Building Regulations**

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

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

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

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

- Excavation for foundations
- Damp proof course
- Concrete oversite
- Insulation
- Drains (when laid or tested)

Floor and Roof construction  
Work relating to fire safety  
Work affecting access and facilities for disabled people  
Completion

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

#### **4 Party Wall etc. Act 1996**

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

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

#### **5 Biodiversity Net Gain**

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

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

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

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

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

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

If the onsite habitat includes irreplaceable habitat (within the meaning of the

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

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

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

#### **6 Hertfordshire County Council as Highways Authority**

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

#### **7 Hertfordshire County Council as Highways Authority**

**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.

#### **8 Hertfordshire County Council**

**Works within the Public Highway:** The applicant is advised that all works associated with the proposal affecting the public highway shall be carried out to the satisfaction of the Highway Authority and will require the prior approval of Hertfordshire County Council. The applicant is encouraged to engage with the Highway Authority at an early stage. The applicant is advised that any works required within the public highway associated with the pedestrian/cycle route will require a legal agreement with Hertfordshire County Council under Section 278 of the Highways Act 1980. The applicant should contact Hertfordshire County Council's Development Management Team at the earliest opportunity.

4      **26/00531/FPH - 134 SHEPHALL VIEW**

The Committee were presented with both applications for items four and five together, but it was noted they would vote on each item separately.

The Senior Planning Officer presented the applications relating to 134 and 136 Shephall View. The application relating to 134 Shephall View sought front, side and rear extensions to adapt the property to provide accessible accommodation for a disabled family. It was noted that the application had to come to Committee due to the Council being the applicant.

The proposed works included a two-storey side extension, a two-storey rear extension and alterations to provide a fully wheelchair-accessible ground floor, including a bedroom, wet room and level access. Three parking spaces would be provided, including a disabled parking space.

The proposed works would require the demolition of the existing garage serving 134 Shephall View, which formed part of a shared garage structure with 136 Shephall View. As a result, the application for 136 Shephall View sought the demolition and replacement of its existing garage with a new detached garage, ensuring that the neighbouring property retained its parking provision.

Members were advised that the proposals complied with the relevant Local Plan policies and would not result in unacceptable impacts on the neighbouring property in terms of outlook, privacy, daylight or sunlight.

Questions were raised regarding the consideration for the property to be exempt from the Right to Buy scheme to protect it as an accessible housing asset for future disabled households. Officers explained that this was outside the remit of the Planning Committee, and would be a matter for housing and legal services. It was agreed that the matter could be discussed outside the meeting to consider whether any further action could be taken.

Questions were also raised about the change in the Council's design guidance, specifically the extension being stepped forward, and whether this approach would ordinarily be permitted. Officers explained that each application was considered on its individual merits. In this case, the additional footprint was considered necessary to provide the space required for a wheelchair-accessible dwelling to meet Building Regulation requirements.

It was also noted that the Public Sector Equality Duty had been taken into account in the assessment, including the benefits to a person with protected characteristics.

Members asked whether the property was intended to be used as a House in Multiple Occupation (HMO). Officers confirmed that the application related to a single-family dwelling for a disabled occupant. It was noted that if the property was used as an HMO, a separate planning application for a change of use from C3 to C4 would be required.

Following the questions, a motion to proceed to the debate and vote was proposed and seconded.

During debate, Members spoke in support of the application, noting that the proposed works would bring the building up to modern Building Regulations standards.

Members considered that the improved construction and overall appearance would be a significant enhancement to the street. The provision of appropriate parking was also welcomed, particularly given the wider parking pressures in the area.

Members raised that following the completion of the works, the property could potentially be sold and subsequently converted to an HMO. Members indicated that the matter would be raised further outside the Planning Committee.

Members expressed support for the application, noting the difficulty in providing suitable supported accommodation and the importance of the Council providing accessible housing where possible.

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:

21151-P006-D; 2151-P007-A; 21151-P003-E; 21151-P005-E;

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.

4 The proposed hardstanding shall be made of a porous material, or provision shall be made to direct surface water run-off water from the hardstanding to a permeable or porous area or surface within the curtilage of the dwellinghouse.

5 Prior to the occupation of the proposed development, the parking spaces and access as shown on the approved plans shall be constructed, hardsurfaced and made ready for use. The arrangements shall then be maintained for the lifetime of the development 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**

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### **2 Community Infrastructure Levy**

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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>

## **6 Hertfordshire County Council as Highways Authority**

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

## **7 Hertfordshire County Council as Highways Authority**

**Obstruction of public highway land:** It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to

wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website:

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

#### **8 Hertfordshire County Council as Highways Authority**

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

#### **9 Hertfordshire County Council as Highways Authority**

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

#### **10 Hertfordshire County Council as Highways Authority**

New or amended vehicle crossover access (section 184): Where works are required within the public highway to facilitate a new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the County Council website at:

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

### **5 26/00532/FPH - 136 SHEPHALL VIEW**

The Committee were presented with this application alongside the previous item, and it was noted that voting would take place separately on each item.

Discussions and questions took place, regarding the demolition and replacement of the existing garage at 136 Shephall View with a new detached garage, which ensured that the neighbouring property retained its parking provision.

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:  
21151-P008-A; 21151-P007-A;
- 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**

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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](http://www.stevenage.gov.uk/CIL) or by contacting the Council's CIL Team at [CIL@Stevenage.gov.uk](mailto:CIL@Stevenage.gov.uk).

### **3 Building Regulations**

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

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

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

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

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

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

### **4 Party Wall etc. Act 1996**

Any work that affects a party wall, including foundations dug within 3.0m of a neighbouring building, may be controllable under the Act and may require approval from the adjoining owner(s). Party Wall Act matters are always civil matters and it is neither Stevenage Borough Council's nor Hertfordshire Building Control Ltd's remit

to control or enforce Party Wall act matters. Please refer to the Government's explanatory booklet The Party Wall etc. Act 1996, a copy of which is available online at

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

## **5 Biodiversity Net Gain**

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>

## **6 INFORMATION REPORT - DELEGATED DECISIONS**

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

## **7 INFORMATION REPORT - APPEALS/CALLED IN APPLICATIONS**

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

## **8 URGENT PART I BUSINESS**

There was no Urgent Part I Business.

## **9 EXCLUSION OF THE PRESS AND PUBLIC**

It was **RESOLVED**:

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

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

## **10 URGENT PART II BUSINESS**

There was no Urgent Part II Business.

## **CHAIR**