

Meeting: Planning and Development Committee
Agenda Item:
Date: 5 June 2025
Author: Linda Sparrow
Lead Officer: Alex Robinson
Contact Officer: Linda Sparrow

Application No : 25/00056/FP
Location : 107 Raleigh Crescent Stevenage
Proposal : Change of use of existing 3-bedroom dwelling to 2no. 1-bedroom flats following erection of a two storey rear extension, internal alterations and associated car parking
Drawing Nos.: 2410-30-P-300; 2410-30-P-501-D; 2410-30-P-003-A; 2410-30-P-100; 2410-30-P-101-C; 2410-30-P-200-A; 2410-30-P-201-C; 2410-30-P-500-A; 2410-30-P-001-B; 2410-30-P-002-B;
Applicant : Mr Dean Davies
Agent: N/A
Date Valid: 28 January 2025
Recommendation: GRANT PLANNING PERMISSION



1. SITE DESCRIPTION

- 1.1 The application site comprises an end of terrace three bedroom dwelling in Raleigh Crescent. To the south is an area of Council owned amenity grass with 2no. mature trees; to the south-east is a block of garages, of which the one closest to the application site is owned by the applicant; to the west is the highway of Raleigh Crescent with residential dwellings beyond and to the north.

2. RELEVANT PLANNING HISORY

- 2.1 24/00885/CLPD Lawful Development Certificate (proposed) for a part single, part two storey rear extension. Lawful Development Certificate Refused 22.01.2025 for the following reasons:
 1. The enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse and the height of the eaves of the enlarged part would exceed 3 metres. The proposed development therefore falls beyond the limitations of paragraph A.1(i) of Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and would not be lawful.
- 2.2 25/00122/CLPD Lawful Development Certificate (Proposed) for a single storey rear extension. Lawful Development Certificate Refused 13.03.2025 for the following reasons:
 1. The proposed single storey rear extension when measured from the rear of the house up to the edge of the external side walls would project more than 3m from the original rear wall of this end-terraced dwellinghouse. Therefore, the proposed development would fail to accord with Schedule 2, Part 1, Class A (f) (i) of the Town and Country Planning (General Permitted Development) (England) Order 2015 and therefore, requires planning permission.

3. THE CURRENT APPLICATION

- 3.1 This application seeks planning permission for the erection of a part two storey, part single storey rear extension which will then facilitate the sub-division of the property into 2no. one-bedroom flats.
- 3.2 The proposed rear extension would measure 4m deep and 5.5m wide on the ground floor; 4m deep and 4m wide at first floor; the single storey element would be 2.7m high with a flat roof; the two-storey element would be 4.5m high to the eaves and 6m high to the ridge with a dual pitched gable fronted roof. The single storey element would be 1.2m from the shared boundary and the two-storey element would be 2.7m from the shared boundary. All measurements are approximate.
- 3.3 The applicant intends to purchase an area of the Council owned amenity land to facilitate the creation of a driveway and a new pedestrian access to the property.
- 3.4 Each one-bedroom property would have an area of off-street car parking that could accommodate two vehicles; flat 1 would utilise the existing garage and hardstand to the front, whilst flat 2 would have a new driveway measuring approximately 10.5m long.
- 3.5 The application comes before the Planning and Development Committee as it was called-in by Councillor Wren owing to concerns regarding a lack of public and Councillor consultation, impact on trees, parking provision, bedroom sizes, and loss of amenity land.

4. PUBLIC REPRESENTATIONS

- 4.1 Following notification of the application via letters to adjoining land owners, one public representation has been received from No.157 Raleigh Crescent.

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

- Lack of parking for a house of multiple occupancy;
- Works have already commenced.

4.3 The aforementioned is not a verbatim copy of the objections which have been raised. Full copies of the representations received can be viewed on the Council's website.

4.4 The Planning Legislation makes it clear that for this type of application, the Council need only send letters to properties whose boundary physically adjoins the application site, or a site notice can be erected in the vicinity of the site. The Council opted to send a letter to the only adjoining property, No. 105 Raleigh Crescent. However, following discussions with Councillor Wren, a local ward Councillor for the Chells Division, it was duly noted that the Council had failed to adhere to the internally previously agreed consultation process that any application involving land owned by the Council would be notified to a wider circle of properties in the vicinity of the application site and the three Ward Councillors would be notified. Accordingly, the application is referred to the Planning and Development Committee for a decision in the interests of openness and due process.

5. CONSULTATIONS

5.1 Herts County Council as Highways Authority

5.1.1 The access gradient of 1:30 is acceptable but very close to a tree so a HCC tree officer will need to be involved with any new access arrangements. No cycle parking is shown, and this should be conditioned to be submitted. No details of EV charging are submitted, and this should be conditioned to be submitted. Overall, no objection subject to conditions for cycle parking, EV charging, and the submission of technical drawings of the access arrangements.

5.2 SBC Arboricultural and Conservation Manager

5.2.1 No comments received as of the time of writing this report. Any comments received will be reported on the night of the committee meeting.

6. RELEVANT PLANNING POLICIES

6.1 The Development Plan

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

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

6.1.2 In order for a Local Plan to be effective, they need to be kept up-to-date. The NPPF states policies in local plans should be reviewed to assess whether they need updating at least once every 5 years. This is reflected under Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) which sets out local planning authorities must review local plans every 5 years from their adoption to ensure that policies remain relevant and effectively address the needs of the local community.

- 6.1.3 The Stevenage Borough Local Plan (2011 – 2031) was formally adopted by the Council on the 22nd May 2019. As of the 22nd May 2024, the adopted Local Plan is 5 years old and as such, is deemed to be out-of-date. This means that the policies contained in the local plan are deemed to have limited weight with greater weight applied to the framework of policies in the NPPF.
- 6.1.4 The council is currently carrying out a partial review and update of the local plan. On 21 November 2024, a schedule of proposed changes was published for the second stage of public consultation under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). This is where a further opportunity for representations can be made on the amendments to the Local Plan before it is submitted for examination to a planning inspector. The Council intends to submit the Local Plan for Examination in Public (EiP) in summer / autumn of 2025 with the aim to adopt an updated Local Plan by the end of 2026 / early 2027. As the updated Local Plan progresses through the relevant stages outlined above, more weight can be applied to the respective policies until its formal adoption by the Council. Please refer to point 6.6 below for more information.

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.
- 6.2.2 Since November 2018, housing delivery has been measured against the Housing Delivery Test (HDT) as set out by the Government planning policy and guidance. The results of the HDT dictate whether a local planning authority should be subject to consequences to help increase their housing delivery. Where an authority's HDT score is less than 95%, the authority should prepare an action plan to assess the causes of under delivery and identify actions to increase delivery in future years. Where an authority's HDT score is less than 85% of its housing requirement, the Council must incorporate a 20% buffer into its housing supply calculations in line with paragraph 79 of the NPPF (2024). This will be in addition to the preparation of an Action Plan. Where an authority's score is below 75%, the Council will be subject to the HDT's most severe penalty and must apply the presumption in favour of sustainable development under paragraph 11d) of the NPPF. The latest HDT results published by the Department for Levelling Up, Housing and Communities (DLUHC) in December 2024 identifies that Stevenage delivered 38% of its housing requirement.
- 6.2.3 The Council, based on its HDT score is currently subject to the most severe penalty under paragraph 11(d) of the NPPF (2024). For reference, as this policy is now engaged, it means Local Plan policies would be classed as out-of-date. Consequently, Stevenage Borough Council must apply the presumption in favour of sustainable development in its decision making and give great weight towards the need to deliver housing. The Council must also apply a 20% buffer in its 5-year housing supply calculations, and it also has to produce an Action Plan in order to boost housing delivery.
- 6.2.4 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, using the *Liverpool* methodology (spreads the delivery of historic undersupply of housing equally across the remainder of the Local Plan period) and guidance from the NPPF and Planning Practice Guidance. The 5-year land supply includes a 20% buffer.
- 6.2.5 The Council has also issued a Housing Delivery Action Plan April 2025. This provides an overview of housing delivery, analysis of barriers to delivery and actions necessary to increase the delivery of housing in the future. The action points specified in the Plan will be monitored on an annual basis to ensure delivery can be increased in order to meet the Council's target of 7,600 new homes over the Local Plan period. This Action Plan also identifies that the Council's Housing Supply is at 8.14 years, but this has yet to be

confirmed through an Examination in Public (EiP) and is therefore not formally adopted at this time.

6.3 Planning Practice Guidance

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

6.4 National Design Guide

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

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

- 6.5.1 The Local Plan policies most relevant to determining the application are as follows:

Policy SP1: Presumption in favour of sustainable development;
Policy SP2: Sustainable development in Stevenage;
Policy SP7: High quality homes;
Policy SP8: Good design;
Policy SP11: Climate change, flooding, and pollution;
Policy SP12: Green infrastructure and the natural environment;
Policy IT5: Parking and access;
Policy HO5: Windfall sites;
Policy HO9: House types and sizes;
Policy GD1: High quality design;
Policy FP1: Climate change;
Policy FP5: Contaminated land;
Policy FP7: Pollution;
Policy FP8: Pollution sensitive uses;
Policy NH5: Trees and woodland.

6.6 Local Plan Review and Update (2024)

6.6.1 Local Plan Partial Review and Update

The Stevenage Borough Local Plan 2011-2031 was adopted in 2019. The council concluded a full review of the plan in 2024, as required by regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

In response to the review, the council is carrying out a partial update of the local plan. Weight will be given to emerging policies according to:

- a) the stage of preparation of the emerging plan;
- b) the extent to which there are unresolved objections to the policies; and
- c) the degree of consistency between the policies and the most recent revision of the NPPF.

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

7. APPRAISAL

- 7.1 The main issues in the assessment of the application are the principle of sub-division in land use policy terms, impact on the character and appearance of the area, impact on neighbouring amenities, car parking, impact on trees, 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 Sub-Division

- 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".
- 7.2.2 Paragraph 63 of the NPPF requires that the planning system should deliver, inter alia, a mix of housing particularly in terms of tenure and price to support a wide variety of households in all areas. Paragraph 73 of the NPPF sets out that small and medium sites can make an important contribution to meeting housing requirements in an area, and this includes supporting the development of windfall sites and is essential for small and medium enterprise housebuilders to deliver new homes.
- 7.2.3 Paragraph 72 of the NPPF states that planning policies should identify a supply of specific deliverable sites for years one to five of the plan periods, and specific deliverable sites or broad locations for growth, for years 6 to 10 and where possible, for years 11 to 15. Paragraph 78 sets out the requirements of local planning authorities to identify and update annually, a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies.
- 7.2.4 Paragraph 124 of the NPPF stipulates that planning policies and decisions should promote the effective use of land in meeting the need for homes such as through the use of brownfield sites (previously developed land) and the development of underutilised land.
- 7.2.5 Paragraph 78 of the NPPF stipulates policies should include a trajectory illustrating the expected rate of housing delivery over the plan period, and all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites. Local Planning Authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their local housing need where the strategic policies are more than five years old. The supply of specific deliverable sites should, in addition, include a buffer (moved forward from later in the plan period) of:
- a) 5% to ensure choice and competition in the market for land; or
 - b) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply; or
 - c) From 1 July 2026, for the purposes of decision-making only, 20% where a local planning authority has a housing requirement adopted in the last five years examined against a previous version of this Framework, and whose annual average housing requirement is 80% or less of the most up to date local

housing need figure calculated using the standard method set out in national planning practice guidance.

- 7.2.6 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, using the *Liverpool* methodology (spreads the delivery of historic undersupply of housing equally across the remainder of the Local Plan period) and guidance from the NPPF and Planning Practice Guidance. The 5-year land supply includes a 20% buffer. As set out in Section 6.2 above, the Housing Delivery Action Plan April 2025 identifies that the Council's Housing Supply is at 8.14 years, but this has yet to be confirmed through an Examination in Public (EiP) and is therefore not formally adopted at this time.
- 7.2.7 The Council, based on its HDT score is currently subject to the most severe penalty under paragraph 11(d) of the NPPF (2024). For reference, as this policy is now engaged, it means Local Plan policies relevant to determine this application would be classed as out-of-date. Consequently, Stevenage Borough Council must apply the presumption in favour of sustainable development in its decision making and give great weight towards the need to deliver housing. The Council must also apply a 20% buffer in its 5-year housing supply calculations, and it also has to produce an Action Plan in order to boost housing delivery.
- 7.2.8 Accordingly, as the Council has failed to meet its HDT, this application for new housing will assist the Council in meeting its housing delivery targets, and in meeting its affordable housing delivery targets. The following sections of this report will balance this presumption in favour of sustainable developments against the impacts of development.
- 7.2.9 The application site is predominantly within the footprint of the existing dwelling with the addition of a rear extension and is undesignated in the adopted Stevenage Borough Local Plan 2011-2031 (2019). As such, the site is therefore regarded as a 'windfall site'.
- 7.2.10 Through the Local Plan Review, Policy SP7 identifies that there is a need to provide 3,290 new homes within Stevenage over the remainder of the Local Plan period and allocates 1,950 new homes to be provided on windfall sites. Taking this into consideration, the proposed development would support the Council's aim of delivering a number of homes which fall outside the designated sites. This amended policy carries little weight, and greater weight is applied to the previous Policy SP7 which requires 7,600 new homes across the whole Plan period.
- 7.2.11 Policy HO5 of the Local Plan (2019) (windfall sites) stipulates that proposals should be on previously developed land, or an underused urban site and should not prejudice the Council's ability to deliver residential development on allocated sites. The updated Policy carries significant weight.
- 7.2.12 For the purpose of clarity, the definition of previously developed land, as stated within the NPPF (2024) is land that has been lawfully developed and is, or was, occupied by a permanent structure, but, that it excludes land that is in built up areas such as residential gardens.
- 7.2.13 The proposed dwellings would be predominantly located within the footprint of the existing dwelling but would also require the addition of a rear extension; consequently, it is considered that the proposal does not wholly constitute development of previously developed, brownfield land. Therefore, the proposal fails to accord fully with criterion (a) of Policy HO5.
- 7.2.14 In accordance with the fundamental objectives of updated Policy SP2 (Sustainable Development), residential developments must have a good level of access to local facilities. The site is located within 10-minute walk of shops on Mobbsbury Way, 12-minute walk of the neighbourhood centre at The Glebe and 15-minute walk of the neighbourhood centre at The Oval. A doctor's surgery is a 5-minute walk and there are a number of primary and secondary schools within 15-20-minute walk. Excellent pedestrian and cycle network facilities run close to the site along Fairlands Way, linking the site to the employment area at Pin Green to the north-west as well as the Town Centre, train station,

bus interchange, Old Town, and employment areas to the south. Bus routes run throughout the area although it is noted that the closest bus stop is on Mobbsbury Way some 15-minute walk away.

- 7.2.15 As such, the application site is considered to have an excellent level of access to local facilities and alternative forms of travel to the private car and therefore deemed to be within a sustainable location.
- 7.2.16 The proposal would not prejudice the delivery of residential development on allocated sites, given the scale of the proposal and the fact that there are no allocated housing sites in the immediate vicinity. It would also not overburden existing infrastructure, given that it would be CIL liable, and the purpose of the CIL payment is to mitigate infrastructure impacts. In these respects, the proposal accords with Policies HO5 and SP2.
- 7.2.17 Paragraph 61 of the NPPF (2024) states that to support the Governments objective of significantly boosting housing supply, it is important that a sufficient amount, and variety, of land comes forward where it is needed, that the needs of groups with specific housing requirements are met, and that land with permission is developed without unnecessary delay.
- 7.2.18 In addition, para 61. of the NPPF states that the overall aim should be to meet as much of an area's identified housing need as possible, including with an appropriate mix of housing types for the local community. As such, the proposed development would contribute to the aim of boosting housing supply without compromising the delivery of housing on allocated sites or placing an undue burden on local infrastructure. Further, the proposal would provide one additional dwelling and 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 very limited and therefore only attracts limited weight in favour of the proposal.
- 7.2.19 Policy HO9 (House types and sizes) of the Local Plan (2019) (No change to this policy under the Local Plan Review) states that there is a structural imbalance in the existing housing stock (albeit in a limited manner) whereby there is a lack of smaller properties and larger aspirational homes in the Borough. The Design Guide SPD (2025) outlines that housing is an area of weakness across the town. One of the main issues is the lack of an appropriate mix of housing sizes, types, and tenures with a high proportion of three-bedroom terraced properties, and a lack of one- and two-bedroom properties.
- 7.2.20 The lack of housing mix is exacerbated by changes in demographics leading to an increase in the number of single person households and couples needing homes. Due to growth requirements for the town, there is a need to provide a substantial number of additional homes in Stevenage. Higher density development is set out as a key requirement of National policy and guidance, and, where appropriate, densities will need to be raised in order to meet these targets for new homes.
- 7.2.21 The Borough's existing stock is weighted heavily towards dwellings with three bedrooms and as a consequence, the greatest need is for dwellings with fewer bedrooms or larger "aspirational" homes. The application would help meet this need by providing 2no. one bedroom flats, albeit the one additional dwelling would not make a significant contribution on its own. As the development is for less than 10 dwellings there is no requirement to offer the dwellings as affordable housing. For these reasons, the proposal is considered to accord with Policy HO9.
- 7.2.22 Updated Policies SP2 (Sustainable Developments) and HO5 (Windfall Sites) now carry significant weight in the Local Plan Review. These policies state permission will only be granted where proposals can meet a number of criteria. Included in these criteria are delivering homes to meet the housing targets in the Local Plan, maximise redevelopment of brownfield sites, provide a mix of homes, including those to meet the needs of an ageing population, promote non-car modes of transport, support facilities and services that encourage people to live, work and spend leisure time in Stevenage and produce places and spaces that enable people to live a healthy lifestyle. The proposal is considered to meet the objectives of these policies for the reasons outlined above, and the development

being a flatted development which, if approved, could potentially provide future accommodation for older persons wishing to downsize from larger family dwellings as their needs and priorities change. It will also help to meet the Objectively Assessed Need (OAN) as identified in the LP review where there is a continual demand to deliver smaller properties.

- 7.2.23 Whilst the Council can demonstrate a five year supply of housing, due to the under-delivery of housing as identified in recent HDT scores published by DLUHC (now MHCLG) in December 2024, paragraph 11(d) of the NPPF is engaged and that there is now a presumption in favour of delivering sustainable development. In addition, the Council's specific policies on housing are deemed to be out of date, so significant weight must be given to increase the delivery of new homes as required under the NPPF. Therefore, in providing one additional market dwelling, the development would make a very small but nonetheless positive contribution towards meeting the Borough's housing needs. No additional benefits would result from the size or tenure of the dwellings, but this is a neutral matter. The construction activity would provide a very small boost to the local economy.
- 7.2.24 Having regard to all the policy considerations laid out above, the proposed development is considered to be acceptable in principle given the benefits of providing additional market dwellings due to paragraph 11(d) of the NPPF being engaged. It follows that the development is acceptable in principle.

7.3 Design and Visual Impact

National Planning Policy Framework and Planning Practice Guidance

- 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.

Development Plan

- 7.3.2 Policy SP8 of the Local Plan Partial Review (2024), generally reflects the requirements of the NPPF in that it requires new development to achieve the highest standards of design and sustainability. In addition, Policy GD1 generally requires all forms of development to meet a high standard of design which includes form of built development, elevational treatment, and materials along with how the development would integrate with the urban fabric, its relationship between buildings, landscape design and relevant aspects of sustainable design.
- 7.3.3 In the emerging local plan partial review and update, criterion (e) is updated to refer to "unacceptable" adverse impacts. The intention behind the change is to make clear that in some circumstances, an adverse impact might still fall within acceptable bounds and that this is a matter of judgement for the decision maker. Policy GD2 is a new policy emerging from the local plan partial review and update. It states that proposals which demonstrate they have been designed to achieve a rating of excellent or higher against a relevant BREEAM standard and/or to achieve the BRE Home Quality Mark will be strongly supported, although this is not mandatory.

Appraisal

- 7.3.4 The application site is an end of terrace dwelling in a residential area. The area is characterised by two storey red brick terraced dwellings, although some properties have first floor rough render.
- 7.3.5 The front elevation remains largely unaltered, with the only change being the removal of the front entrance door and its replacement with a window. The south side elevation will have 1no. window at first floor and 1no. window and 1no. entrance door at ground floor. The northern side elevation (in the shared alleyway) will retain the existing door and have 1no. obscurely glazed window installed.
- 7.3.6 At the rear (south-east facing) a new part two storey, part single storey extension will be added. The first-floor element would be set in 2.7m from the shared boundary with the attached neighbour and would contain no windows. It would have a dual pitched gable fronted roof set down from the ridge of the existing dwelling to appear subservient. The single storey element would have a flat roof and would be set in from the shared boundary by 1.2m.
- 7.3.7 The proposed extension will be constructed using matching materials to the existing dwelling to ensure a cohesive appearance. Its scale and massing are in keeping with the existing dwelling and it will not appear over dominant or over bearing within its context.

7.4 Impact on Neighbouring residential amenity

National Planning Policy Framework and Planning Practice Guidance

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

Development Plan

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

Outlook and Amenity

- 7.4.3 In terms of the proposed rear extension, the only dwelling that will be impacted is the attached neighbour at No.105. This neighbour is a mirror image of the application site in terms of layout and the sole room at the rear of the property at ground floor is a living room, whilst at first floor there are two bedrooms. The neighbour has a fully glazed conservatory on the rear that spreads full width of the property and approximately 3m deep. The proposed extension at 4m deep will project beyond this neighbouring conservatory but not by such a degree that outlook would be detrimentally harmed. Further, the proposed extension would be approximately 2m away from the conservatory at ground floor and approximately 2.7m away from the shared boundary at first floor.

- 7.4.4 There are no windows in the side elevation of the proposed extension so no overlooking or loss of privacy would occur. A new window is to be introduced within the shared alleyway at ground floor to serve a bathroom which would be obscurely glazed and therefore will not give rise to harm to neighbouring amenities.
- 7.4.5 The single storey element of the proposed extension will have a flat roof; therefore it is considered reasonable and appropriate to impose a condition that prevents use of this roof area as a balcony or sitting out area in order to protect the amenities of the neighbouring property.

Daylight and Sunlight

- 7.4.6 The proposed extension passes all 45-degree tests on plans and elevations both for the ground floor element and first floor element against both the neighbouring conservatory and first floor bedrooms. Accordingly, it is not considered that there would be reduction in daylight or sunlight to this neighbouring property's habitable rooms.

7.5 Impact Upon Amenities of Future Residents

Internal Living Standards

- 7.5.1 Policies GD1 and SP8 of the Local Plan Partial Review (2024) 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 (2019) sets out the minimum gross internal floor space standards for dwellings which is in line with the Government's nationally described space standards. Through the Local Plan Review, these policies now carry significant weight.
- 7.5.2 The submitted plans show that flat 1 would have a floor area of approximately 54sqm whilst flat 2 would have approximately 55sqm. This significantly exceeds the minimum standard of 37sqm for a one-bedroom flat and is therefore acceptable.
- 7.5.3 The bedrooms of both flats are marginally below the minimum standard of 11.5sqm at 11.3sqm and 11.4sqm. However, given the significant over provision of overall floor space, this very minor failure of the bedroom space is not considered to be a reason for concern from a living standard perspective or warrant a refusal.
- 7.5.4 Each flat has a study/box room which measure below 7sqm. As these rooms fail to meet the 7.5sqm for a single bedroom as defined in the National Described Space Standards (NDSS) they are not considered to be of a size that could count as a bedroom and the Council are therefore satisfied to consider these rooms as a study.

Private amenity space

- 7.5.5 In respect to private amenity space, the Design Guide SPD (2025) requires that all dwellings and flats should have private open space. In regard to flatted developments, these usually require 50sqm shared for up to 5 flats.
- 7.5.6 The submitted plans show that the ground floor flat would have an amenity space of approximately 32sqm whilst the first floor flat would have approximately 43sqm. Given the proposal is for a flatted development, this is considered to exceed the requirements of the Design Guide SPD and is therefore acceptable.
- 7.5.7 It is acknowledged that the garden for the first floor flat is not directly accessible from the flat itself, but being an upper floor flat it does not require an outdoor amenity space to be acceptable and therefore it would be a situation of "buyer beware" as it is not a reason for refusal that could be defended upon an appeal.

7.6 Car Parking and Cycle Provision

National Planning Policy Framework and Planning Practice Guidance

- 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.

Development Plan

- 7.6.2 Policy IT5 of the Local Plan Partial Review (2024), which carries significant weight, requires development proposals to comply with the parking standards set out in the Parking Provision SPD 2025.
- 7.6.3 Policy SP6: Sustainable Transport, has been significantly updated. This policy requires, amongst other things, for developments to demonstrate they are in a sustainable location and will promote active travel by non-car modes of transport by providing appropriate cycle parking and prioritise public transport.
- 7.6.4 The proposal is for 2no. one-bedroom dwellings. Each dwelling is required to have one parking space. The submitted plans show that each dwelling will have two spaces which is an over provision. There is nothing in the Parking SPD or Local Plan Policies that prevents an over provision and therefore the proposal is considered acceptable in this regard. The spaces will be delivered through the existing garage and hardstand space to the front and the provision of a new driveway adjacent the garage.
- 7.6.5 The new driveway will be located within the root protection area of a Council owned tree. The applicant has submitted an Arboricultural Impact Assessment and this is discussed in detail later in this report under the Trees and Landscaping section.
- 7.6.6 Hertfordshire County Council (HCC) as Highways Authority has assessed the application and advised that they have no concerns or objections to the proposal and do not wish to restrict the granting of planning permission. They advise that the proposed gradient of the new driveway is within acceptable limits. They have requested conditions to be imposed to seek further technical plans for the dropped kerb and driveway, electric vehicle charging points, and cycle storage.

EV Charging

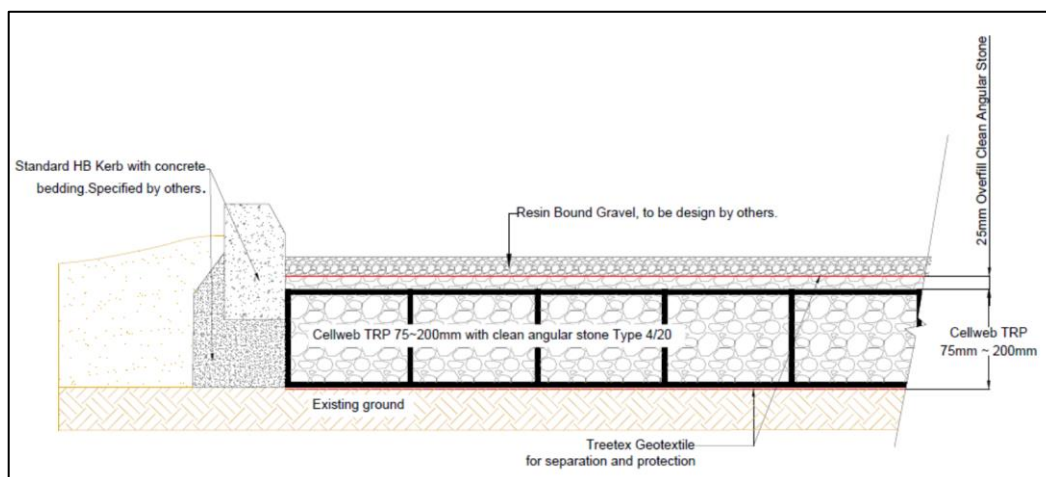
- 7.6.7 The recently adopted Parking Provision SPD (2025) no longer sets standards for electric vehicle charging points as this is covered in much greater detail by the Building Regulations. Therefore, whilst the comments from HCC Highways regarding lack of EV charging spaces is noted, this is no longer a planning matter and will not be secured via condition in this instance.

Cycle Storage

- 7.6.8 Policy IT5 of the Local Plan Partial Review (2024) also 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. No details of cycle storage have been provided but this can be secured via the imposition of a condition.

7.7 Trees and Landscaping

- 7.7.1 Policy NH5 of the local plan requires development to protect and retain trees, providing new planting where appropriate. In the emerging Local Plan Partial Review and update (2024), policy NH5 is replaced by two new policies: Policy NH5a, which relates to trees and woodland; and Policy NH5b, which relates to tree-lined streets. Policy NH5a continues to provide a general presumption against the loss of healthy trees. Policy NH5b requires new streets to be tree-lined, mirroring paragraph 136 and footnote 52 of the NPPF. Having regard to paragraph 49 of the NPPF (2024), this emerging version of the policy is afforded limited weight in the assessment of the application, and this has not changed as a result of the progression of the review to Regulation 19 stage on 21 November 2024.
- 7.7.2 The application does not involve the loss of any trees. However, there are two mature Whitebeam trees on the Council owned grass area adjacent the application site. The submitted Arboricultural report identifies both trees as Category A, that being trees of high quality with an estimated remaining life expectancy of more than 40 years that are good examples of their species and offer high landscape quality.
- 7.7.3 The application does not include removal or works to these trees. However, the proposed new driveway would be within the root protection area of one of the trees. The submitted Arboricultural Report raises no concerns in this regard subject to the driveway being constructed using a no-dig cellular system.
- 7.7.4 The aforementioned system involves placing cellweb over the existing ground, backfilling with stone and then placing a resin bound gravel over the top:



1: <https://www.geosyn.co.uk/wp-content/uploads/2018/02/Cellweb-TRP-Technical-Support-Package-.pdf>

- 7.7.5 The Council's Arboricultural and Conservation Manager has been consulted on the application but as of the time of writing this report, has not provided any comments. Accordingly, any comments received will be reported to the Committee on the night.

7.8 Biodiversity, Ecology and Protected Species

- 7.8.1 Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 sets out that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the 'biodiversity gain condition' requiring development to achieve a net gain of 10% of biodiversity value. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not apply in some circumstances.
- 7.8.2 Applicants for planning permission are required to make a statement as to whether the biodiversity gain condition will apply if permission is granted, and, if it does not apply, under which exemption they are applying.
- 7.8.3 The application is exempt from the biodiversity condition as it involves 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 Existing Policy FP1 of the adopted Local Plan (2019) stipulates that planning permission will be granted for development that can incorporate measures to address adaptation to climate change. New developments will be encouraged to include measures such as:
- Ways to ensure development is resilient to likely variations in temperature.
 - Reducing water consumption to no more than 110 litres per person per day, including external water use.
 - Improving energy performance of buildings.
 - Reducing energy consumption through efficiency measures.
 - Using or producing renewable or low carbon energy from a local source; and
 - Contributing towards reducing flood risk through the use of SuDS or other appropriate measures.
- 7.9.2 Under the Local Plan Partial Review (2024), Policy FP1 has been revised to cover sustainable drainage and Policy SP1: climate change, is the new relevant policy in this regard. The fundamental objective of Policy SP1 remains the same as previous policy FP1, however, it sets out in more detail the objectives to adapting to climate change. This policy requires, amongst other things off-setting of emissions targets if not met on site, water usage targets, rainwater harvesting, grey water recycling, use of sustainable materials and practices on site, ultra-low and zero carbon combined heat and power systems and urban greening (green roofs and walls). This policy is further supported by a suite of new climate change policies, CC1 through CC7 which cover a broad range of topics. However, it should be noted that Policies CC1 and CC2 require only major planning applications to provide an energy statement.
- 7.9.3 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, including:-
- reducing energy demand;
 - using passive environmental systems, e.g. natural ventilation;
 - daylighting and passive solar gains;

- using high levels of insulation and air tightness in the fabric of the building;
- specifying energy efficient services, controls and appliances;
- implementing water recycling and the provision of water butts;
- using renewable energy;
- using low/zero carbon technologies to provide as much of the energy load as is technically and economically feasible, minimising use of fossil fuels; and
- using efficient fossil fuel technologies, such as Combined Heat and Power and condensing boilers.

7.9.4 The application does not contain any details around energy efficiency measures and adaptation to climate change. However, such measures can be secured by way of the imposition of a condition should the Council be minded to grant planning permission.

Waste and Recycling

7.9.5 The Design Guide (2025) states provision should be made within new development for the storage and collection of waste from a site. The submitted plans show two areas for the storage of waste and recycling bins but no details of the actual storage areas have been included. The details can be secured via the imposition of a condition.

Community Infrastructure Levy

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

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

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

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

7.10 Equality, Diversity and Human Rights

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

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

- 7.10.3 Rigorous consideration will ensure that proper appreciation of any potential impact of that decision on the Council's obligations under the Public Sector Equalities Duty. As a minimum this requires decision makers to read and carefully consider the content of any Equalities Impact Assessment (EqIA) produced by officers.
- 7.10.4 The Equalities Act 2010 requires the Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share protected characteristics under the Equality Act and persons who do not share it. The protected characteristics under the Equality Act are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; sex and sexual orientation.
- 7.10.5 In terms of inclusive access, the ground floor appears to be accessible in terms of being step-free. The first floor is not accessible but there is no requirement for this type of development to be so and would not be viable to install relevant accessibility measures.

8. CONCLUSIONS

- 8.1 The application proposes the provision of housing and the council's latest Housing Delivery Test score was below 75%. The policies most relevant for determining the application are therefore considered to be out of date and the 'tilted balance' as set out under paragraph 11(d) of the NPPF is engaged.
- 8.2 The development would make a small but nonetheless positive contribution towards meeting the borough's overall housing need. The quality of the proposed accommodation would be good both internally and externally. In these respects, the proposal accords with Policies HO9 and GD1 of the local plan. The proposal broadly aligns with Policy HO5 in all aspects except that the proposal is not on previously developed brownfield land. The provision of good quality housing on a suitable site at a time when housing delivery is constrained carries significant weight in favour of the proposal.
- 8.3 In all other respects, including the impact on the character and appearance of the surrounding area and the impact on the amenities of neighbouring occupiers, the proposal is considered to be acceptable and to accord with relevant policies. These are neutral matters.
- 8.4 Having regard to the above, the proposal is considered to accord with the development plan when read as a whole. The NPPF is a material consideration, but its application does not warrant a decision other than in accordance with the development plan. Accordingly, it is recommended that planning permission be granted.

9. RECOMMENDATIONS

- 9.1 That planning permission be GRANTED

SUBJECT TO THE FOLLOWING CONDITIONS/REASONS

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
2410-30-P-300; 2410-30-P-501-D; 2410-30-P-003-A; 2410-30-P-100; 2410-30-P-101-C; 2410-30-P-200-A; 2410-30-P-201-C; 2410-30-P-500-A; 2410-30-P-001-B; 2410-30-P-002-B;
REASON:- For the avoidance of doubt and in the interests of proper planning

- 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON:- To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
- 3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match the materials used in the construction of the original building to the satisfaction of the Local Planning Authority.
REASON:- To ensure the development has an acceptable appearance.
- 4 No demolition or construction work relating to this permission that is 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 and 18:00 on Mondays to Fridays and between the hours of 08:00 and 13:00 on Saturdays.
REASON:- To safeguard the amenities of the occupiers of neighbouring properties.
- 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 ensure that the site does not pose any risk to human health and to ensure that the development does not contribute to unacceptable concentrations of pollution posing a risk to public water supply from previously unidentified contamination sources at the development site and to prevent deterioration of groundwater and/or surface water by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is completed.
- 6 All areas of hedges, scrub or similar vegetation where birds may nest which are to be removed as part of the development, are to be cleared outside the bird-nesting season (March - August inclusive) or if clearance during the bird nesting season cannot be reasonably be avoided, a suitably qualified ecologist will check the areas to be removed immediately prior to clearance and advise whether nesting birds are present. If active nests are recorded, no vegetation clearance or other works that may disturb active nests shall proceed until all young have fledged the nest.
REASON:- - Nesting birds are protected from disturbance under the Wildlife & Countryside Act 1981 (as amended).
- 7 Before any development commences, including any site clearance or demolition works, any trees on and adjacent to the site shall be protected by fencing or other means of enclosure in accordance with the Arboricultural Impact Assessment and Method Statement by Arborcare (TL-25488-25512) Rev 01 dated 30.03.2025. Such protections shall be maintained until the conclusion of all site and building operations.
REASON:- To ensure that the retained tree(s) are not damaged or otherwise adversely affected during site operations.
- 8 Prior to commencement of development, detailed technical plans shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority, which show the detailed engineering designs and construction of the vehicle accesses/driveway gradients and associated highway works concerning the footway, dropped kerb, etc. in accordance with the hereby approved plans. These works shall then be constructed to the specification of the Highway Authority and Local Planning Authority's satisfaction and completed before occupation of any part of the development.
REASON:- To ensure the provision of a vehicle access/driveway, footway and dropped kerb is safe, suitable, and sustainable for all highway users.

- 9 Prior to the first occupation of the development hereby permitted, the parking spaces shall be constructed and completed in accordance with the technical plans in condition 8, the details on approved plans 2410-30-(P)-300 and 2410-30-(P)501-D, and the details contained within the Arboricultural Impact Assessment and Method Statement by Arborcare (TL-25488-25512) Rev 01 dated 30.03.2025. The parking shall be maintained as such for the lifetime of the development and used only for the parking of motor vehicles.
REASON:- To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018) and to ensure that the adjacent trees are not damaged or otherwise adversely affected.
- 10 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.
REASON:- In the interest of visual amenity and to ensure the development is sustainable and accords with the aspirations of Class F, Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015.
- 11 No access shall be provided to the roof of the extension by way of windows, doors or staircases and the roof of the extension hereby permitted shall not be used as a balcony or sitting out area.
REASON:- To protect the amenities and privacy of the occupiers of adjoining properties.
- 12 Prior to the first occupation of the dwellings hereby permitted, details of the cycle storage shall be submitted to, and approved in writing by, the Local Planning Authority. The cycle storage shall be retained and maintained accordingly during the lifetime of the development.
REASON:- To ensure that adequate cycle parking is provided in accordance with the Council's adopted supplementary planning documents.
- 13 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. Scaled plans and written specifications to illustrate that the storage areas can be accessed within 30m of each dwelling and within 25m of the kerbside collection point. The storage shall be retained and maintained accordingly during 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.
- 14 No development shall take place above slab level until details of measures to address adaptation to climate change have been submitted to and approved in writing by the Local Planning Authority. These measures shall then be implemented and permanently maintained in accordance with the approved details.
REASON:- To ensure the development is adaptable to climate change through provision of energy and water efficiency measures.

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

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

INFORMATIVE

1 **Public Information on Planning Applications**

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

2 **Community Infrastructure Levy**

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

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

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

3 **Building Regulations**

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

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

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

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

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

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

4 **Party Wall etc. Act 1996**

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

5 **Biodiversity Net Gain**

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 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

Construction standards for new vehicle access: Where works are required within the public highway to facilitate the new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.

10. BACKGROUND DOCUMENTS

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted February 2025, Stevenage Design Guide adopted February 2025, Stevenage Borough Council Developer Contributions adopted February 2025.
3. Stevenage Borough Local Plan 2011 – 2031 adopted 2019.
4. Hertfordshire County Council's Local Transport Plan 4 adopted May 2019.
5. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
6. Central Government advice contained in the National Planning Policy Framework December 2024 and Planning Practice Guidance.