

STEVENAGE BOROUGH COUNCIL  
**PLANNING AND DEVELOPMENT COMMITTEE  
MINUTES**

Date: Thursday, 5 June 2025

Time: 6.30pm

Place: Council Chamber

**Present:** Councillors: Claire Parris (Chair), Carolina Veres (Vice-Chair), Julie Ashley-Wren, Stephen Booth, Robert Boyle, Kamal Choudhury, Forhad Chowdhury, Peter Clark, Coleen De Freitas, Lynda Guy, Ellie Plater and Nigel Williams.

**Start / End Time:** Start Time: 6.37pm  
End Time: 7.55pm

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

Apologies for absence were received from Councillor Akin Elekolusi.

**2 MINUTES - 19 FEBRUARY 2025**

It was **RESOLVED** that the Minutes of the meeting of the Planning and Development Committee held on 19 February 2025 be approved as a correct record and signed by the Chair.

**3 25/00056/FP - 107 RALEIGH CRESCENT**

It was noted that Councillor Peter Clark declared a personal interest in the application at 107 Raleigh Crescent and left the meeting for the duration of the item while it was being considered and voted on.

The Committee received a presentation from the Senior Planning Officer regarding a planning application for the change of use of an existing three-bedroom dwelling into two one-bedroom flats. The proposal included a two-storey rear extension, internal alterations, and associated parking provision.

Site and floor plans were presented to the committee, including proposed locations for two parking spaces. It was clarified that a second room shown in the plans fell below the minimum required size for a bedroom and therefore the property was classified as a one-bedroom flat.

The Chair invited Councillor Tom Wren, a Chells Ward Councillor, to address the Committee.

Councillor Wren, spoke in opposition to the application, expressing concern that the proposal should be considered as two two-bedroom flats due to the inclusion of both bathroom and an en-suite in each unit.

Objections were raised regarding the use of public land for parking, noting that the land had not been sold to the applicant.

Councillor Wren also referenced a late submission from the Council's Arboricultural Officer, who objected to the application due to the potential impact on the adjacent trees.

The Chair thanked Councillor Tom Wren for his contributions and invited the Senior Planning Officer to respond.

The Senior Planning Officer confirmed that land ownership was not required at the application stage. Condition 9 stipulated that parking must be provided prior to occupation, meaning the land would need to be acquired before the development could be implemented.

Officers reiterated that the second room did not meet the minimum bedroom size and confirmed that 1-bedroom flats aligned with identified housing need in Stevenage, in accordance with Policy HO5.

Officers confirmed there would be no adverse impact on outlook, amenity, or daylight for neighbouring properties. Cycle storage was also included in the proposal.

At this Juncture, it was noted that both proposed bedrooms fell marginally below policy size standards (by 10-20cm). However, this was not considered significant enough to justify refusal.

Officers addressed the Arboricultural Officer's concerns, acknowledging that the proposed parking spaces would encroach on the root protection area of one tree. However, no tree loss was anticipated.

The application was confirmed as exempt from Biodiversity Net Gain requirements due to its de minimis status. Waste and recycling provision was deemed acceptable.

The Senior Planning Officer concluded that the development would make a "small but positive contribution" to meeting the Borough's housing need and recommended approval.

During discussion, Members raised concerns about the risk of a developer proceeding with internal works before securing necessary approvals, particularly regarding parking provision. Officers acknowledged the risk but advised that developers were unlikely to proceed without full permissions due to the financial implications.

Additional concerns were raised regarding the proximity of the parking spaces to the public footpath. Officers confirmed that the proposed spaces met the required standards (4.8m x 2.4m) and should not result in overhang.

A question was raised regarding why the parking spaces were not proposed

alongside the house. Officers explained that this would have resulted in encroachment into the root protection zones of two trees and require a dropped kerb too close to the junction, which would likely be refused.

Members noted that a dropped kerb would still be required for the proposed location and there was no guarantee this would be approved. Officers confirmed this point but advised that Hertfordshire County Council had reviewed the proposal and raised no objections.

A recorded vote\* was taken on the application and it was **RESOLVED** that planning permission be GRANTED subject to the following conditions and informatives:

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

- 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.
- 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.
- 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.
- 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.
- 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.
- 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.
- 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.

- 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.

**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](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 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.

**\*Recorded Vote**

For – Councillors Robert Boyle, Kamal Choudhury, Forhad Chowdhury, Coleen De Freitas, Lynda Guy, Claire Parris and Carolina Veres.

Against – Councillors Julie Ashley-Wren, Stephen Booth, Ellie Plater and Nigel Williams

Abstentions – 0

Absent – Councillors Peter Clark, Akin Elekolusi and Anne Wells

**4 25/00277/FP - BUS INTERCHANGE SCULPTURE**

The Committee received a presentation from the Planning and Development Team Leader on the proposed installation of public artwork outside Stevenage Interchange Bus Station. The location of the sculpture's footprint was shown. It was noted that the sculpture would be 2.5 metres high and consist of three stacked stones made from a metal armature and polystyrene carved rocks, coated with glass reinforced cement and decorated with hand-cut mosaic designs.

The Chair welcomed Jill Borchers from Cycling UK to address the Committee. It was noted that the concerns raised were related to the location of the artwork, not the design or content.

The Committee was informed that the artwork would be positioned at the Junction where the North Road Cycleway meets the East-West route to the station. Cyclists would approach from three different directions, while pedestrians would arrive from four.

It was proposed that the decision be deferred until further analysis of pedestrian and cyclist flow around the area had been undertaken.

The Chair thanked Jill for her contributions and welcomed the Planning and Development Team leader to respond.

It was explained to the Committee that the Highway authority and Stevenage Borough's Engineering department had been contacted for any objections to the application due to pedestrian and cyclist flows. Reference was made to the Local Transport Note (LTN120), which stated that the width of the sculpture and the rear edge of the footpath would be 4.6 metres and 6.2 metres from the landscaped area to the north, exceeding the 4-metre minimum requirement and therefore complying with guidance.

Members acknowledged that public sculptures across the town were well received. A question was raised about relocating the sculpture, however officers explained that the planning authority must assess the sculpture in its submitted location and had no authority in changing the location.

The Committee queried whether other street furniture had been considered in the application. The Planning and Development Team Leader confirmed that it had.

In response to concerns about spectators of the artwork narrowing the pathway to below 4 metres, the Planning and Development Team Leader noted it was a shared space and would be the responsibility of the users of the area to manage it safely.

Members sought clarification on why the proposal referred to the area as a pedestrianised highway rather than acknowledging it as a shared space with cyclists and felt this should have been explicitly stated for transparency. The Planning and Development Team Leader noted the comments and agreed that it was not mentioned in the report but explained that relevant departments would have been aware of the shared use and would have taken it into account in their assessments.

Members stated that users should exercise caution in shared spaces and, while acknowledging concerns, expressed that public art should be placed in visible, frequented locations rather than hidden from view.

A question was raised whether impact assessments had been conducted regarding potential congestion at the proposed location, and whether a decision should be delayed until this was assessed. It was noted that the decision rested on whether members believed the proposal posed an unacceptable safety risk. No objections had been received regarding the proposed location.

The Assistant Director of Planning thanked members for their contributions and noted that similar installations had been approved across the country, with examples

of mixed users navigating spaces. It was reiterated that members decision should focus on whether the proposal presented an unacceptable safety risk.

A recorded vote\* was taken on the application and it was **RESOLVED** that planning permission be GRANTED subject to the following conditions and informatives:

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:  
  
Site Location Plan; HDM-311224\_01 P5; STV-CON-Z0-ZZ-DR-985001 C7; STV-CON-Z1-ZZ-DR-D-985100 C4.
- 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

## INFORMATIVES

- 1 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 - 43 - above number after the application has been uploaded. Please phone Hertfordshire Building Control for fees guidance on 01438 879990. Hertfordshire Building Control can also be contacted by post at Hertfordshire Building Control Ltd, Campus East, Welwyn Garden City, Hertfordshire, AL8 6AE. Once a building regulations application has been deposited with relevant drawings and fee building work may commence. You will be advised in their acknowledgement letter of the work stages we need to inspect but in most instances these are usually: Excavation for foundations Damp proof course Concrete oversite Insulation Drains (when laid or tested) Floor and Roof construction Work relating to fire safety Work affecting access and facilities for disabled people Completion Please phone Hertfordshire Building Control on 01438 879990 before 10.00am to ensure a same day inspection (Mon - Fri).
- 2 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>.

#### **\*Recorded Vote**

For – Councillors Julie Ashley-Wren, Robert Boyle, Kamal Choudhury, Forhad Chowdhury, Coleen De Freitas, Claire Parris, Ellie Plater, Carolina Veres and Nigel Williams

Against – Councillors Stephen Booth, Peter Clark and Lynda Guy

Abstentions – 0

Absent – Councillors Akin Elekolusi and Anne Wells

5      **24/00544/FP - 11-19 TOWN SQUARE**

The Committee received a presentation on the application for 11 – 19 Town Square in the Town Centre, proposing alterations and refurbishments to include a new roof, replacement windows, fascia boards and air conditioning units to the rear of the building.

It was noted that these proposals had previously come before the Committee due to incomplete works, therefore a new application was required. Updates to the proposal included changes to some of the windows not present in the previous application.

A site plan and photographs were presented showing the completed new windows and roof from the previous application. Images of the enclosures for the air conditioning units were also shown.

It was noted that the air conditioning units were located within the conservation area of the site, however no objections had been raised by the Council's listed building and historic environment consultees. The recommendation was noted for approval for the application.

Members raised concerns regarding the upkeep of the rear of the shops and queried whether plans were in place to address this. In response, the Team Leader advised that the area would form part of the SG1 regeneration in the future, and these works were only for a temporary period of time.

A recorded vote\* was taken on the application and it was **RESOLVED** that planning permission be GRANTED subject to the following conditions and informatives:

- 1      The development hereby permitted shall be carried out in accordance with the following approved plans: SGEH-BBA-ZZ-RF-DE-A-2204 Rev P01; Site Location Plan; SGEH-BBA-ZZ-ZZ-DR-A-3002 Rev 02; SGEH-BBA-ZZ-ZZ-SH-A-7751 Rev P01; 00-M-01-0300-01 T1; SGEH-BBAZZ-01-DR-A-2202 Rev C01; SGEH-BBA-ZZ-RF-DR-A-2006 Rev P01; SGEH-BBA-ZZ-RFDR-A-2104 Rev P01; SGEH-BBA-ZZ-ZZ-DR-A-3001 Rev 02; SGEH-BBA-ZZ-ZZ-DR-A-3003 Rev C01; SGEH-BBA-ZZ-ZZ-SH-A-7051 Rev P01.
- 2      The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**Informatives**

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

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

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**3 Party Wall etc. Act 1996**

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

**4 Biodiversity Net Gain**

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

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

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

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

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

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

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

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

Amendments) (England) Regulations 2024 apply.

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

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

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

#### **\*Recorded Vote**

For – Councillors Julie Ashley-Wren, Stephen Booth, Robert Boyle, Kamal Choudhury, Forhad Chowdhury, Peter Clark, Coleen De Freitas, Lynda Guy, Claire Parris, Ellie Plater, Carolina Veres and Nigel Williams

Against – 0

Abstentions – 0

Absent – Councillors Akin Elekolusi and Anne Wells

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

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

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

The Team Leader provided the Committee with a verbal update to accompany the information report:

- Aintree Way  
The enforcement notice was upheld, and the Planning Inspector had requested amendments to be made. The enforcement notice had now been served.



- 40A Vinters Avenue  
The Lawful Development Certificate was approved, and further details could be found in the report.

## 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 **HMO COMMITTEE REPORT Q4 UPDATE**

The Committee discussed the Quarter 4 report on Houses in Multiple Occupation (HMOs) in Stevenage which was for noting.

## 11 **URGENT PART II BUSINESS**

There was no Urgent Part II Business.

## **CHAIR**