

Meeting: Planning and Development Committee
Agenda Item:
Date: 21 July 2025
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Lead Officer: James Chettleburgh
Contact Officer: Ailsa Davis

Application No:	25/00221/FPM
Location:	Wiltron House, Rutherford Close, Stevenage
Proposal:	Demolition of existing building and construction of a new building for Use Classes E(g)(iii), B2 and B8 (flexible) including access, servicing, parking, hard and soft landscaping, and associated works.
Drawing Nos.:	02001 REV PL01; 03000 REV PL02; 03001 REV PL06; 03002 REV PL01; 03101 REV PL02; 03102 REV PL02; 03103 REV PL02; 03201 REV PL05; 03210 REV PL01; 03211 REV PL01; 03301 REV PL03; 03302 REV PL02; 250109MJ-1; POE_322_001 REV D; POE_322_002; 25006-MBA-EX-SP-DR-E-0001 PL2
Applicant:	BlueBird Land
Date Valid:	25 March 2025
Recommendation:	GRANT PLANNING PERMISSION



The above plan is for illustrative purposes only.

1 SITE DESCRIPTION

- 1.1 The application site is located in an established employment location known as Gunnels Wood Employment Area in west Stevenage. The site is currently accessed via a private road from the south which leads onto Rutherford Close and Clovelly Way. There is a pedestrian/cycle link which runs along the western and northern boundary, which is lined by mature trees and vegetation which largely screen the site when viewed from Rutherford Close and Clovelly Way.
- 1.2 The site comprises a two-storey office building which is now largely unoccupied with remaining functions to cease later this year. Car parking is located to the south, west and north. The building also benefits from loading doors on the southern access which supports some existing HGV movements. Much of the surrounding area comprises employment uses located to the south, east and west. Residential dwellings are located to the north of Clovelly Way.

2 RELEVANT PLANNING HISTORY

- 2.1 None relevant.

3 THE CURRENT APPLICATION

- 3.1 The proposed development seeks full planning permission for the demolition of all existing structures and redevelopment of the site to provide 3,259m² GIA of flexible employment space. The unit is being built speculatively with flexible use classes necessary to attract a range of tenants. The proposal seeks permission for E(g)(iii) Light Industrial, B2 Manufacturing and B8 Storage and Distribution with unrestricted 24/7 hours of operation for the unit.
- 3.2 The 3,259m² GIA includes ancillary office space of 359m² located along the southern edge of the unit creating an enhanced active frontage onto the access road. The office is also in a 'podded' design sitting at a lower height to the main warehouse space, creating visual interest onto the site access. The proposed layout has been informed by the shape constraints of the site with the building size presenting an uplift in floorspace from the existing building of approximately 508m².
- 3.3 The unit would have a maximum height of 13m with 10m to underside of haunch. A total of 35 car parking spaces are proposed, two of which would be accessible. The car park would include electric charging points for 20% of the spaces with the remainder having passive provision. Car parking would largely be provided to the south and west of the building with additional parking to the north of the building in the service yard. Two motorcycle spaces, 11 HGV spaces and 24 cycle spaces within green roofed shelters are also proposed.
- 3.4 To minimise visual impact, HGV servicing and parking would be located to the north of the proposed building. The existing access to the south of the site off Rutherford Close would be retained and utilised as access for both cars and HGVs. This would ensure that continued access to the neighbouring office building is retained. Security gates are proposed on the edge of the service yard, rather than on the access road to allow for the existing pedestrian access along the western boundary to be retained and utilised by pedestrians accessing the proposed development and office building to the east of the site.
- 3.5 The existing trees located along the western, northern and eastern boundary would be retained along with those located south of the site, with additional landscaping features to be introduced. The development also targets BREEAM Excellent and an EPC rating of A.
- 3.6 The application comes before the Planning and Development Committee because the application is major development.

4 PUBLIC REPRESENTATIONS

- 4.1 The application was publicised by neighbour letters, two site notices and a press advert. No representations were received.

5 CONSULTATIONS

- 5.1 The following section contains summaries of consultation responses. Full copies of the responses are available on the Council's website.

5.2 SBC Environmental Health

Operational impacts

Artificial light

- 5.2.1 The revised External LED Lighting Assessment Report by MBA Consulting Engineers (no reference, V3, dated 22/4/2025) removes the ambiguity contained within the initial version of the document. If the maximum illumination levels contained within the report are not exceeded in practice then I believe that the off-site impacts vis-a-vis nearby residential properties will be modest and therefore the proposed lighting scheme should comply with Policy FP7.

- 5.2.2 In order to safeguard the above I suggest the following condition:

1(a) The development hereby permitted shall not come into night time use until a verification report containing evidence of compliance with the maximum off-site artificial lighting levels as set out in Drawing Number 25006-MBA-EX-SP-DR-E-0001 Rev PL2 dated March 2025 cited in the External LED Lighting Assessment Report by MBA Consulting Engineers (Version 3, dated 22/4/2025) has been submitted to and approved in writing by the local planning authority.
1(b) The luminaires and associated lighting equipment authorised by 1(a) above shall thereafter be retained, operated, and maintained in accordance with the manufacturers' specifications.

REASON: In the interests of the amenities of nearby existing residential occupiers in accordance with Local Plan Policy FP7

Environmental Noise

- 5.2.3 Following my earlier memorandum I did enter into dialogue with the applicant's acoustic advisor with view to resolving my stated concerns. The resultant letter from Stantec UK Limited dated 21/5/2025 and Technical Note by Sharps Acoustics dated 1/5/2025 deal with most of my reservations such as the quantification of uncertainty, noise impact on non-domestic receptors, and use of BS4142.

- 5.2.4 However, whilst I accept the main trust of the methodology regarding the protection of domestic amenity, the revised assessment still gives me cause for concern as regards the night time operation of the service yard on the occupiers of '...dwellings to the north....' The BS4142 assessment is based on unpublished source data (which therefore I cannot verify) and assumes that none of the penalties set out in that standard relating to characteristics such as intermittency, impulsivity, etc., will be relevant; given the proposed delivery yard use I believe that this is likely to underestimate the noise impact. Finally, the estimation of uncertainty set out in Section 7.0 of the note, taken with my observations above, confirms that there is a distinct possibility that the dwellings to the north of the site may well be exposed to noise levels at night that would, according to BS4142, amount to an 'adverse impact'.

- 5.2.5 In light of these observations I would suggest the following conditions to the LPA:

1) The rating level of noise emitted by any or all fixed plant shall not exceed 54dB(A) within the curtilage of any nearby residential property between 07:00 and 23:00 and 38dB(A) between 23:00 and 07:00 hours. Any measurement or computation, and assessment shall be made in accordance with BS 4142:2014+A1:2019.

2) The development hereby permitted shall not come into use until such time a noise barrier has been erected in accordance with paragraph 4.5 of the Assessment of Noise report prepared by Sharps Acoustics LLP dated 20/3/2025. The barrier shall be imperforate and be retained and maintained for the life of the approved use.

3)(a) There shall be no use of on-board commercial vehicle refrigeration or compressor units whilst on site at any time.

3(b) No vehicle internal combustion engine shall be used on site at any time other than in connection with that vehicle's movement.

3(c) There shall be no use of tonal alarms by any vehicle on site at any time.

4(a) The development hereby permitted shall not come into night time (23:00 and 07:00) use until a Noise Management Plan detailing site specific measures to control noise from outside areas as bounded by the red line on the plan contained within Figure A2 as set out in the Assessment of Noise report prepared by Sharps Acoustics LLP dated 20/3/2025 has been submitted to and approved in writing by the local planning authority.

4(b) All measures authorised by 4(a) above shall thereafter be retained, operated, and maintained for the life of the approved use.

REASON: In the interests of the amenities of nearby existing residential occupiers in accordance with Local Plan Policy FP7

- 5.2.6 Following receipt of the above comments a set of conditions were agreed to cover the salient points, which can be found in section 9 below. The applicant also submitted an updated Intrusive Geoenvironmental and Geotechnical Site Assessment for review. The EHO confirmed that the site represents a low risk as regards human receptors and therefore remediation works are not necessary unless unanticipated contamination is encountered during the course of demolition/construction works. Additional ground investigation work is advocated in the report, but it is understood that this relates to non-health related matters such as foundation design. The EHO advised a pro-active remediation plan is no longer required for authorisation by the LPA and so the proposed contaminated land condition could be restricted to the reactive element only.

5.3 HCC Highway Authority

- 5.3.1 No objection, subject to conditions relating to access, parking and construction management plan.

5.4 HCC Lead Local Flood Authority

- 5.4.1 We are concerned that the drainage strategy provided does not include a PDE from Thames Water confirming that the 2 l/s is sufficient. Additionally, supporting calculations need to clearly outline the Brownfield and Greenfield volumes. We also request signposting to the CCTV survey and infiltration testing.

- 5.4.2 We object to this planning application in the absence of an acceptable Drainage Strategy relating to:

- The proposed SuDS are likely to increase the risk of flooding elsewhere.
- The development is not in accordance with NPPF, PPG or Stevenage local policies including SP12 and FP3.

5.4.3 Reason

To prevent flooding in accordance with National Planning Policy Framework paragraphs 181, 182 and 187 by ensuring the satisfactory management of local flood risk, surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development.

- 5.4.4 We will consider reviewing this objection if the issues highlighted on the accompanying Planning Application Technical Response document are adequately addressed.

5.4.5 At the request of HCC as Lead Local Flood Authority, additional information has been submitted to address their concerns and updated comments are awaited. At the time of writing this report no comments have been received. If comments are received prior to the meeting and/or the drainage strategy is agreed an update will be provided, otherwise it is anticipated Members will agree to delegate powers being granted to the Assistant Director of Planning and Regulation to impose any conditions advised on any response provided after the committee meeting. However, it should be noted the LLFA does not object to the principle of the drainage strategy.

5.4.6 A decision will not be issued until the Legal Agreement associated with the development has been signed, which will allow time for comments to be received. Therefore, comments will be fully considered prior to a decision being issued. However, if the LLFA continues to raise an objection to this application and their concerns cannot be overcome, then this application will be referred back to the Planning and Development Committee for its decision.

5.5 Thames Water

5.5.1 No objection, subject to a condition and informative relating to groundwater discharge and piling.

5.6 UK Power Networks

5.6.1 The proposed development is in close proximity to our substation with HV and LV underground and have the following observations to make. If the proposed works are located within 6m of the substation, then they are notifiable under the Party Wall etc. Act 1996. The Applicant should provide details of the proposed works and liaise with the Company to ensure that appropriate protective measures and mitigation solutions are agreed in accordance with the Act. The Applicant would need to be responsible for any costs associated with any appropriate measures required. Any Party Wall Notice should be served on UK Power Networks at its registered office: UK Power Networks, Newington House, 237 Southwark Bridge Road, London SE1 6NP.

5.7 SBC Arboricultural and Conservation Manager

5.7.1 No comments received.

5.8 HCC Waste and Minerals

5.8.1 No comments received.

5.9 Planning Policy

5.9.1 No comments received.

6 **RELEVANT PLANNING POLICIES**

6.1 **National Planning Policy Framework**

6.1.1 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.

6.1.2 The NPPF provides that proposals which accord with an up-to-date development plan should be approved without delay (para.11) and that where a planning application conflicts with an up-to-date development plan, permission should not usually be granted (para.12). This

indicates the weight which should be given to an up-to-date development plan, reflecting the requirements of section 38(6) of the 2004 Act.

6.2 **Planning Practice Guidance**

- 6.2.1 The Planning Practice Guidance (“PPG”) 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.

6.3 **National Design Guide**

- 6.3.1 The National Design Guide 2019 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.

6.4 **The Development Plan**

- 6.4.1 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 development plan comprises the following documents:

- Stevenage Borough Local Plan 2011-2031
- Waste Core Strategy & Development Management Policies DPD 2011-2026
- Waste Site Allocations DPD 2011-2026
- Minerals Local Plan Review 2002-2016

- 6.4.2 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).

- 6.4.3 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.

- 6.4.4 In determining applications, regard will be had to other material considerations, including (but not limited to):

- The Planning Practice Guidance;
- The National Design Guide;
- Written ministerial statements and directions;
- Guidance published by Hertfordshire County Council;
- Stevenage Borough Council supplementary planning documents.

- 6.4.5 Where there are emerging policies which are relevant to the application, these will be highlighted in the main body of this report. The policies set out below are most relevant in the determination of this application:

Policy SP1: Presumption in favour of sustainable development

Policy SP2: Sustainable development in Stevenage

Policy SP3: A strong, competitive economy

Policy SP5: Infrastructure

Policy SP6: Sustainable transport

Policy SP8: Good design
 Policy SP11: Climate change, flooding and pollution
 Policy EC2a: Gunnels Wood Employment Area
 Policy EC4: Remainder of Gunnels Wood
 Policy IT4: Transport Assessment and Travel Plans
 Policy IT5: Parking and access
 Policy IT6: Sustainable Transport
 Policy IT7: New and Improved Links for Pedestrians and Cyclists
 Policy GD1: High quality design
 Policy FP1: Climate change
 Policy FP2: Flood risk in Flood Zone 1
 Policy FP5: Contaminated land
 Policy FP7: Pollution
 Policy NH5: Trees and Woodland

6.5 **Supplementary Planning Documents**

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

Parking Provision SPD (2025)
 Stevenage Design Guide SPD (2025)
 Developer Contributions SPD (2025)

6.6 **Community Infrastructure Levy Charging Schedule**

6.6.1 Stevenage Borough Council adopted a Community Infrastructure Levy Charging Schedule in 2020. This allows the Council to collect a levy to fund infrastructure projects based on the type, location and floorspace of a development. This proposal would be CIL liable at £0/m².

7 **APPRAISAL**

7.1.1 The main issues for consideration in the determination of this application are its acceptability in land use policy terms, design and appearance, flood risk and drainage, climate change mitigation, amenity, noise, highway impact, access and parking, trees, biodiversity and landscaping and planning obligations to mitigate the impact of the development.

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

7.2 Land Use Considerations

7.2.1 The site is an established employment site located within the wider Gunnels Wood Employment Area designated in the Local Plan under Policy EC2a which considers uses E(g)(iii) Industrial Processes, B2 General Industry and B8 Storage or Distribution as being appropriate. The application proposal is consistent with the above uses and is therefore considered to be acceptable in this regard.

7.2.2 Policy EC4 at paragraph 6.19 seeks to resist the development of large format warehousing in this location. The proposed floorspace of 3,259m² GIA is not considered to be large format warehousing, therefore, the proposed uses and extent of floorspace are considered to be consistent with policy and existing material considerations. The post-amble of policy SP3 recognises that the Local Plan currently has a shortfall of employment land to address the identified need. The opportunity to redevelop sites such as this would help address this shortfall to some extent, whilst also delivering high-quality and modern stock which is more attractive to high-value businesses.

- 7.2.3 Further, the proposed loss of office space on the site reflects the rationalisation of office space across Stevenage, as recognised within the Employment Technical Paper (2024) (Appendix 2) which supports the Local Plan review. The same document also recognises the greater need for the proposed uses and a deficit of 9.81ha of employment land supply across Stevenage. As such, bringing into full use largely vacant sites such as the application site is critical to ensuring full economic use of employment land available across Stevenage.
- 7.2.4 The Written Ministerial Statement from the 30 July 2024 is capable of being considered as a material planning consideration (see *Cala Homes (South) Ltd, R (on the application of) v Secretary of State for Communities and Local Government & Anor* [2011] EWCA Civ 639 (27 May 2011) (bailii.org)). The statement recognises that logistics and freight are part of the nation's critical infrastructure and more will be done to support this sector as part of the engine of the economy.
- 7.2.5 The proposed development for uses E(g)(iii) Industrial Processes, B2 General Industry and B8 Storage or Distribution are therefore considered to be acceptable in principle subject to satisfying other material planning considerations.

7.3 **Character and Appearance**

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, sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process. Where development is not well designed, permission should be refused.
- 7.3.2 The National Design Guide 2019, which was published by the Government, is a material consideration in the determination of planning applications. It states that buildings are an important component of places and proposals for built development are a focus of the development management system. However, good design involves careful attention to other important components of places. These include:
- the context for places and buildings;
 - hard and soft landscape;
 - technical infrastructure – transport, utilities, services such as drainage; and
 - social infrastructure – social, commercial, leisure uses and activities.
- 7.3.3 A well-designed place is unlikely to be achieved by focusing only on the appearance, materials and detailing of buildings. It comes about through making the right choices at all levels, including:
- the layout;
 - the form and scale of buildings;
 - their appearance;
 - landscape;
 - materials; and
 - their detailing.

Development Plan

- 7.3.4 Whilst the policies contained in the Local Plan have limited weight, Policy SP8 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.

- 7.3.5 In the emerging local plan partial review and update, criterion (e) of Policy GD1 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. Having regard to paragraph 49 of the NPPF, this emerging version of the policy is afforded moderate weight in the assessment of the application.
- 7.3.6 This part of the application has been assessed against the key policy criteria on good design, as well as how the scheme meets the four key objectives in the National Design Guide on what is considered as a well-designed place.

Layout

- 7.3.7 The building layout has been designed to maximise site efficiency, help screen the service yard and add a positive frontage to Rutherford Close. Additional pockets of tree planting have been introduced to add vertical greening to views across the site. The proposed building would occupy the same building area zone as the existing, allowing the northern section of the site to be adapted into a service yard. The existing parking areas would remain largely unchanged. The site is accessed via Rutherford Close, leading to a shared access route serving the application site and the neighbouring commercial premises. Visitor and staff parking would be located to the south and west, with additional overflow parking available within the service yard area.
- 7.3.8 The service yard would be positioned within the northern part of the site, minimising its visual impact as it is screened from the highway by dense landscaping and trees. The yard would be secured with a 2.4m high paladin fence, complete with gated access. To address acoustic concerns, a 4.5m high acoustic fence would be incorporated along the northern boundary. Designated waste areas would be positioned near the three vehicle doors for convenience. The service yard would have a depth of 45m, providing appropriate space for HGV manoeuvring while ensuring overflow parking would remain outside the manoeuvring zone.

Scale, Massing and Form

- 7.3.9 The site is surrounded by two-storey brick commercial buildings. The adopted design approach is to ensure the proposed design aligns with the existing massing and scale of the area. The form and size of the unit has been informed by the functional parameters expected by the target small and medium sized local business market within the light industrial, manufacturing, storage and distribution sectors. Generally, these buildings are designed as open warehouse type spaces with ancillary operational offices and mezzanines at first floor level. The building is specifically designed to meet institutional height requirements appropriate to the size and use in this location.
- 7.3.10 A 10m haunch height has been designed to meet the building’s functional needs. To minimise the visual impact of the height, particular attention was given to the roof design. To reduce the building’s perceived height from the access road, the office roofline would be separated and lowered from the main warehouse roof to appear subservient. This design strategy would help to break up the overall mass of the building. A griffin roof design was also chosen to lower the perceived height, while adding an interesting architectural element to the building.

Appearance and Materiality

- 7.3.11 The proposed building is largely concealed from the main highway and pedestrian routes by dense landscaping and trees, though careful attention has been given to its identity within the surrounding environment, while creating its own distinct character. The office would feature a corner curtain wall that marks the building's entrance, creating visual interest on the most prominent side visible from the main road. The south façade would incorporate a pattern of windows to maximize natural light in the office areas. Activating all sides poses a unique challenge, especially with industrial structures where opportunities for diversity in form and materiality are limited.
- 7.3.12 In warehouse buildings, elements like windows, which typically break up material transitions, are often minimal. To overcome this, the facade would be activated using varied materials, colours, and textures. Profiled metal panels, strategically oriented, would serve both functional and aesthetic purposes. Horizontal micro-ribbed elements and vertically laid profiled metal would create an engaging texture across the facade. A continuous feature band would wrap around the building's intersections, adding visual interest while drawing the eye downward, reducing the perception of height. Projecting eaves would extend outward, reflecting the surrounding buildings' characteristics and enhancing the design's contextual connection.

Conclusion

- 7.3.13 Overall, it is considered the proposed development would have a high-quality finish and has been designed to assimilate itself with the wider area with the careful use of materials and finishes to give the building architectural interest and to reduce the perception of bulk. The scale of the building is considered acceptable for this employment area. The layout of the proposed development has been well considered and considers the need for satisfactory access and separation with nearby residential areas. The proposed development is therefore, considered acceptable in accordance with the policies on design in the adopted Local Plan (2019), the Design Guide SPD (2025), the NPPF (2024) and PPG.

7.4 Impact on the Environment and Neighbouring Occupiers

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 Whilst the policies contained in the Local Plan have limited weight, Policies SP8 and GD1 of the Local Plan (2019) which generally reflect the good design principles outlined in the NPPF and National Design Guide, require that development does not adversely impact the amenities of neighbouring occupiers. In the emerging Local Plan review and partial update, criterion (e) of policy GD1 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. This emerging policy carries significant weight under paragraph 49 of the NPPF.

- 7.4.3 Policy FP5 of the Local Plan requires development proposals to consider contamination and be supported by an appropriate preliminary risk assessment (PRA), demonstrating that any necessary remediation and subsequent development poses no risk to the population, environment or groundwater bodies.
- 7.4.4 Policy FP7 requires all development proposals to minimise, and where possible, reduce air, water, light, and noise pollution. Planning permission will be granted when it can be demonstrated that the development will not have unacceptable impacts on general amenity and the tranquillity of the wider area.

Contamination

- 7.4.5 The Intrusive Geo-environmental and Geotechnical Site Assessment submitted with the application advises the generic risk assessments undertaken indicate there are no significant contamination concerns and remediation is not considered necessary. Notwithstanding this, a condition is recommended to ensure that any unexpected contamination is dealt with properly if discovered during the construction phase. The Environmental Health Officer advised the proposed contaminated land condition could be restricted to the reactive element only. Should suspected contaminated materials be encountered during construction works then works around those materials should be stopped. The materials tested and risk assessed by a competent environmental consultant. If the materials are confirmed to be contaminated, then a remediation plan must be produced and submitted to the regulator for approval prior to remediation of those material.

Noise Pollution

- 7.4.6 The application is accompanied by a Noise Impact Assessment by Sharps Acoustics Ltd. Noise survey work was undertaken to determine baseline noise levels in the vicinity of the site. The site and surroundings currently experience ambient noise levels which are neither particularly high nor particularly low, and the sound character is mainly from road traffic. The report concludes the predicted rating noise levels at the nearest residential properties would be below background at all times, without any noise mitigation being necessary. According to British Standard (BS) 4142: 2014+A1: 2019 'Methods for rating and assessing industrial and commercial sound' (BS 4142), this would result in a "low" impact and indicate that no adverse effects would be present, day and night.
- 7.4.7 Notwithstanding this, noise sources at the site which have the potential to result in offsite effects would comprise HGVs arriving, manoeuvring and departing, loading / unloading of HGVs and fixed mechanical services (such as heating or ventilation) operated on site. With regards to fixed mechanical services, a condition has been agreed to limit the rating level of noise emitted by any or all fixed plant. With this planning condition in place, there would be no observed adverse effects from noise from this source.
- 7.4.8 With regards to noise from HGVs arriving, loading/unloading and leaving, primary noise mitigation would be included in the form of a 4.5m acoustic fence along the northern service yard boundary to attenuate noise. There would also be no use of on-board refrigeration on vehicles; vehicle engines would be switched off other than when moving; there would be no use of tonal alarms by any vehicles on site; and there would be no use of diesel forklifts on site at nighttime. These mitigation measures have been agreed with the applicant and Council's Environmental Health Officer and can be secured by condition. It is considered the agreed mitigation measures would negate the requirement for the submission of a Noise Management Plan detailing site specific measures to control noise from outside areas. This will not be subject to condition, as it is not considered necessary. Subject to conditions, it is considered the proposal would accord with Local Plan Policy FP7 in terms of noise.

Light Pollution

- 7.4.9 The application is supported by an External LED Lighting Assessment Report. The report details the lighting scheme, which covers all areas surrounding the building including external areas to the access road, walkways, car parking and service yard. The scheme is based on the use of LED luminaires fixed to the building façades and on lighting columns, as detailed on drawing 25006-MBA-EX-SP-DR-E-0001 PL2. Due to the existing nature of the site, the lighting installation is proposed to align with existing boundaries. The new lighting is proposed as LED which gives better control of the lighting distribution on site and controls any upward light spill. The lighting solution has been prepared in accordance with the current Design Standard for Exterior Lighting and care has been taken when selecting the luminaires to ensure the products would reduce spill light and glare to and around site boundaries and prevent sky glow.
- 7.4.10 With the proposed luminaires being strategically placed and having zero or minimal upward light ratio, the proposed design solution would meet the criteria of environmental zone E4, Lighting Environment classification of High District Brightness and Maximum Upward Light Ratio of Luminaires. The total lighting solution has been carefully generated to ensure the immediate environment has been protected, including the properties adjacent to the site. The lighting has been kept to a practical standard using a mixture of efficient high-quality building and column mounted luminaires which have been chosen to minimise impact on the natural environment. Subject to a condition limiting maximum illumination levels to those stated in the report, it is considered the proposal would accord with Local Plan Policy FP7 in terms of external light.

Air Quality

- 7.4.11 Looking at air quality and air pollution specifically, the Air Quality Annual Status Report (ASR) 2019 by Stevenage Borough Council identifies that the development site is not located within or in close proximity to an Air Quality Management Area (AQMA). This generally indicates that the air quality in the area is within national guidelines.
- 7.4.12 In order to mitigate the impact of the construction phase on air quality, it is recommended a condition is imposed to any permission issued. This condition would require the applicant to submit a Construction Management Plan to detail measures on how to control levels of dust and air pollutions which are generated during the demolition and construction phases of development.
- 7.4.13 With regards to the operational aspect of the development, due to its limited scale, the proposed development would give rise to a very small increase in NO₂ emissions which in accordance with IAQM/EPUK guidance is identified as having a negligible impact at all receptors in the area. As such, the need for additional mitigation has not been identified as being required. Consequently, the Council's Environmental Health department has not raised any concerns with respect to the operational impact the development would have on air quality.

Privacy, Overbearing Impact and Daylight

- 7.4.14 The site is separated from the residential properties to the north by Clovelly Way, which provides approximately 56m separation between the proposed development and nearby dwellings mitigating concerns of overlooking, loss of light and overbearing impact. Furthermore, the existing mature trees and landscaping along this boundary are set to be retained and enhanced which would provide additional screening and reduce visual impact. The site is adjoined by existing office development to the south, west and east with a minimum 13m separation distance to Meadway Court to the east, the closest non-residential building. It is not considered that the impact on the office buildings abutting the boundary with the application site in terms of over shadowing, overbearing impact or loss of light would be adverse.

- 7.4.15 Turning to privacy and overlooking of the residential properties to the north, it is considered the separation distance in excess of 85m from the proposed building to these dwellings, together with the retention of existing boundary trees would mitigate any direct overlooking. As such, it is considered the relationship would not raise amenity concerns with regards to privacy and the proposal can be considered acceptable in this regard.

Demolition and Construction Impacts

- 7.4.16 The disruptive effect of demolition and construction work is a material consideration. Some disruption is inevitable, insofar as vehicle movements and noisy work would be necessary to complete the development. However, the impacts can be mitigated, for example by employing dust suppression techniques, limiting the hours when deliveries can be made, and limiting the hours when work can be carried out.
- 7.4.17 To this end, it is recommended that a construction management plan be secured by condition. Subject to this condition, it is considered that the impacts of demolition and construction could be mitigated to an acceptable degree.

Conclusions on Environment and Neighbouring Occupiers

- 7.4.18 Having regard to the above, it is concluded that the proposed development would not result in any fundamentally unacceptable impacts on the environment and has been designed in such a way as to ensure acceptable living conditions for neighbouring occupiers. In these respects, the proposal is considered to accord with Policies FP5, FP7 and GD1 of the Local Plan.

7.5 Parking

National Planning Policy Framework and Planning Practice Guidance

- 7.5.1 Chapter 9 'Promoting Sustainable Transport' of the NPPF (2024) sets out a requirement to consider transport issues, which includes parking, at the earliest stages of a development proposal. Paragraph 116 of the NPPF (2024) states "*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios*". 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

- 7.5.2 Policy IT5 of the Local Plan requires development proposals to comply with the parking standards set out in the Council's Parking SPD (2025) and has not been updated by the Local Plan (LP) Review. Policy SP6 Sustainable Transport has been reordered to reflect the priority of sustainable transport consistent with NPPF under the LP Review and the amended policy

carries significant weight. 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.

- 7.5.3 With regard to parking, the Council's parking standards include reductions in provision based on Accessibility Zones. The site is not located within an Accessibility Zone but falls just outside Zone 2 within which parking can be provided at 25-50% of the maximum permitted. However, with no designated zone the standard requires that 75-100% of the maximum is provided. It is considered that this would represent an over-provision, given the site is borderline Zone 2 and directly adjacent to the dedicated cycle and pedestrian path on the western boundary and the bus stop on Clovelly Way serving the SB8 route. Given the site's proximity to Zone 2, the applicant considers that the Zone 3 requirement of 50-75% provision is more appropriate. Officers agree with this approach, given the sustainability of the site. The table below shows the standards and what could be permitted for a flexible employment use of the site.

Use Class	Standard	Maximum	75%	50%
E(g)(iii)	1 per 35m ²	98	74	49
B2	1 per 50m ²	68	51	34
B8	1 per 75m ²	46	35	23

- 7.5.4 The application proposal includes 35 car parking spaces, two of which are disabled bays, 11 lorry spaces (including loading bays) and 24 cycle spaces. As shown, for a B8 use between 23 and 46 spaces could be provided based on Zone 3 reductions and at the other end of the scale between 49 and 98 could be provided for E(g)(iii) use. It is proposed to provide 35 spaces which aligns with the 50% provision for B2 and the 75% provision for B8. As such, the level of parking is considered to be acceptable given that the site is directly adjacent to the Accessibility Zone 2 boundary. Providing parking to suit the E(g)(iii) requirement would result in a significant over provision for B2 and B8 uses and providing parking based on the B8 standards would provide significantly below the number for the other uses for which permission is sought. Therefore, a balanced provision is most appropriate.
- 7.5.5 However, the Transport Statement also highlights how different uses have different servicing requirements, and that the service yard could be used to flex up and down the parking to meet the demands of each user. The Transport Statement shows an alternative parking layout for a E(g)(iii) operator. Alternative provision to reflect the end user can be secured by way of a planning condition to ensure the appropriate amount of parking is provided depending on whether the end user is a B8, B2 or E(g)(iii) use.
- 7.5.6 There are also bus stops adjacent to the site providing access to bus services that serve a large area of Stevenage, which also connect with the bus station and train station. Furthermore, the existing pedestrian and cycle connections to surrounding residential areas means that a high number of potential employees at the site could live within an accessible walking or cycling distance with facilities provided to promote and encourage travel by these modes. The implementation of the Travel Plan for the site would also encourage non-car travel meaning that parking demand could be lower than the standards permit.
- 7.5.7 In terms of cycle parking, cycle standards require 7 long term and 3 short term cycle parking spaces for all the use classes (E(g) (iii)/B2 and B8). It is proposed to provide 24 cycle parking spaces at the site, within covered shelters which exceeds the minimum requirement and is

sufficient to promote cycling and cater for future increased demand for cycle parking. Shower and changing facilities would be provided within the building to further encourage employees to access the site via active travel modes. Cycle parking usage would be monitored through the Travel Plan and should additional parking be required, then additional spaces would be provided.

- 7.5.8 With regards to accessible parking, the standards require that 5% of the spaces provided are disabled bays. Two spaces would be provided close to the building entrance to comply with this and step-free access into the building would also be provided from these spaces.
- 7.5.9 In terms of EV parking, the Council's standards do not set any specific requirements but require all developments with more than 10 spaces to comply with building regulations. The car park would include electric charging points for 20% of the spaces with the remainder having passive provision which exceeds the minimum requirements of Part S of the building regulations.
- 7.5.10 With regard to lorry parking, the Council's standards state that the need for lorry parking spaces for non-residential development will be assessed on a case-by case basis. However, for B2 general industry and B8 storage and distribution uses, lorry parking should usually be provided at a rate of between 1 space per 200m² and 1 space per 1,000m². On this basis, the proposed development could be expected to provide parking for between 4 and 17 lorries. In addition to the 3 loading doors provided, parking for up to 8 HGV spaces could be provided, meaning that up to 11 lorries could park at the site, albeit that the order in which they park in the spaces would need to be managed.
- 7.5.11 In practice, a unit of this size would not have a large fleet of lorries although there may be ad hoc requirements for a lorry to park at the site for a short period if a driver is required to have a break to comply with driving hours regulations. As such, the proposed parking is considered to be sufficient for a development of this size, especially in the context of the minimum requirement of 4 lorry spaces, which could be accommodated.
- 7.5.12 Having regard to the above, the proposed parking arrangements are considered to be acceptable. In this respect, the proposal accords with Policy IT5 of the Local Plan.

7.6 Highway Safety

- 7.6.1 Policy IT4 of the Local Plan has been amended under the LP Review by substituting the word "adverse" with "unacceptable" to align with the NPPF and to the travel plan threshold to align with HCC Highways policy. The amended policy carries significant weight. It states that planning permission will be granted where development will not have an unacceptable impact on highway safety. The application is accompanied by a Transport Statement and a Travel Plan.

Access

- 7.6.2 It is proposed to retain the existing site access location to the southwest of the site on Rutherford Close and the internal access, however, minor amendments are proposed to both junctions to accommodate articulated lorries accessing the site. The pedestrian and cycle access point would be in the same location as the existing pedestrian/cycle access. This would provide easy access to the entrance to the building via a zebra crossing as well as the cycle parking area located just to the north of the pedestrian and cycle access. This would mean pedestrians and cyclists would not need to interact with vehicles within the access road.
- 7.6.3 The access has been designed to accommodate a car and an articulated lorry passing in both the Rutherford Close junction and the site access. Given that the remaining building to the east of the site is in office use, there are limited HGV movements associated with that site and the proposed development would generate up to 3 lorry movements per hour, not all of which would be articulated lorries. The Highway Authority considers this to be appropriate as

widening the junctions to accommodate two lorries passing would result in an increased crossing width for the pedestrian/cycleway crossing the access road, loss of trees, and amendments to the existing culvert beneath the access road, which would not be necessary to accommodate the vehicles likely to use the site. A swept path analysis has been undertaken which shows that a car and articulated lorry could pass in both junctions.

7.6.4 A Stage 1 Road Safety Audit (RSA) was undertaken for the proposed access amendments. Most of the comments raised have been addressed and it is considered that any outstanding matters can be resolved at the detailed design stage. The Highway Authority's pre-application response requested that consideration be given to implementing a Traffic Regulation Order (TRO) to provide double yellow lines opposite the site access on Rutherford Close. Currently there are no waiting restrictions on Rutherford Close and cars park opposite the site access, which requires vehicles exiting the site to drive on the wrong side of the road between the access and the roundabout.

7.6.5 A drawing showing the potential extent of double yellow lines that could be provided along with swept path analysis showing vehicles exiting and entering the site access is included within the Transport Statement at Appendix A8. A TRO would be subject to consultation and approval by the Council. The Highway Authority advise it may not be possible to implement one given current car parking and possible objections to a TRO in public consultation. Given it has been demonstrated it is possible for articulated lorries to enter and exit the site safely, the Highway Authority have confirmed a TRO is not essential and the proposed access arrangements are acceptable.

Refuse and Servicing

7.6.6 Refuse and service vehicles would enter and exit the site access, with refuse being stored within the service yard for collection purposes. A swept path analysis has been undertaken to demonstrate that the site could accommodate large articulated lorries. A 16.5m articulated lorry could enter and exit the site in forward gear as well as accessing the service doors. The Highway Authority has confirmed the proposed arrangements are acceptable.

Trip Generation

7.6.7 The Transport Statement undertakes an exercise which presents forecasts for the trip generation of the existing and proposed development and the attendant net effect. The trip generation exercise has used the Industrial Unit category from the TRICS (Trip Rate Information Computer System) database to forecast both existing and proposed trips. The existing development generates in the region of 33 two-way trips in the AM peak and 29 in the PM peak. To estimate the number of vehicle trips associated with the proposed use, trip rates were calculated based on similar sites available on the TRICS database. The proposed development would be expected to generate in the region of 13 two-way trips in the AM peak for all uses, whereas in the PM peak it is estimated to be 8 two-way for B2 use and 15 two-way for B8. The worst case B8 use in terms of HGV movements would only generate 3 two-way trips per hour.

7.6.8 On this basis, it is considered that designing the access to accommodate two-way articulated lorry movements was not necessary as this would be highly unlikely to arise and could be managed by the operator to ensure that deliveries are scheduled to avoid this situation arising. When comparing the observed existing trips and the proposed B8 trips, which are the higher of the scenarios assessed, it is anticipated that the proposed development could generate 20 fewer trips in the AM peak and 15 fewer in the PM peak when compared to the existing trips associated with the site.

7.6.9 The Highway Authority is content to accept that the proposed development would not precipitate a material impact on the adjoining local highway network. The same principle applies to the multi-modal trip generation exercise as presented within the Transport

Statement. Notwithstanding, the Highway Authority notes that all developments should seek to promote travel by sustainable modes. Given the site's location with good access to neighbourhood areas, a high-quality walking and cycling network within Stevenage and bus routes, there exists an opportunity to promote trips by sustainable modes via an approved Travel Plan which can be secured by condition.

- 7.6.10 Based on the submission, the Highway Authority has concluded that the proposal would not have an unreasonable impact on the safety and operation of the adjoining highways. For this reason, the Highway Authority offers no objection subject to the inclusion of planning conditions and informatives set out in Section 9 below.

7.7 Biodiversity and Ecology

- 7.7.1 The Environment Act received royal ascent in 2021. Within the legislation is the requirement for proposals to bring about a positive net gain in biodiversity. The regulations make a 10% net gain a statutory requirement (with a standard condition). The requirement and the ways in which this gain is measured apply to planning applications for major development submitted after the regulations came into force on 12 February 2024. The NPPF and accompanying PPG require the Council to achieve measurable net gains in biodiversity at development sites across the Borough unless they are exempt. Policy SP12 of the Local Plan requires the protection of assets of ecological and biodiversity value. This policy has not been amended by the Local Plan Review and carries significant weight.
- 7.7.2 The application is supported by a preliminary ecological appraisal. No statutory or non-statutory nature conservation designations are present within the site, all designations in the wider area are physically separated from the site and therefore are unlikely to be adversely affected by the proposals. The Phase 1 habitat survey established that the site is dominated by habitats not assessed to be of ecological importance, whilst the proposal seeks to retain those features identified to be of value as far as possible, including the native hedgerow at the western boundary. The existing habitats are suitable to support protected and notable fauna including birds and hedgehogs, however appropriate mitigation measures are proposed to safeguard such species. The proposed lighting strategy has also been designed under guidance from the project ecologist.
- 7.7.3 The application is also supported by a Biodiversity Net Gain Assessment which has considered the landscape proposals using the latest statutory metric. Based upon the metric, the proposals would result in a net loss in habitat units of 66.23% and a 42.31% net gain in hedgerows. Therefore, the proposed development would not deliver a 10% net gain within the site itself. To achieve a net gain in habitat units, a total of 1.56 off-site habitat units are required to be provided, increasing to a maximum of 3.12 habitat units if provided in a different Local Planning Authority/National Character Area. 1.16 units of the required 1.56 units would need to comprise individual trees or a higher distinctiveness habitat. Details of how this shortfall would be addressed are not required to accompany the planning application and would be secured via the biodiversity gain condition under separate legislation.
- 7.7.4 Having regard to the above, it is considered that the proposed development would have an acceptable impact on ecology and biodiversity. In this respect, the proposal accords with Policy SP12 of the Local Plan.

7.8 Trees and Landscaping

- 7.8.1 Policy NH5 of the Local Plan (2019) states that development proposals will be expected to protect and retain individual trees within the development site and should include new planting where appropriate. In the Local Plan review and partial update, 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, but also introduces a new tree replacement standard and offsetting

mechanism where replacement planting cannot be provided on site. This emerging policy currently has limited weight. Policy NH5b requires new streets to be tree-lined, mirroring paragraph 136 and footnote 53 of the NPPF. This emerging policy carries significant weight, however, is not relevant to this application proposal.

- 7.8.2 Full landscaping details have been submitted as part of this application. Currently, the majority of the existing landscaping features are located around the boundary of the site. The proposal would retain the key features around the site; however areas of incidental landscaping are proposed for removal as the proposed warehouse would require larger areas kept clear for the service yard, which the existing office development does not require. A total of 13 new trees are proposed to be planted throughout the site, primarily located around the perimeter including the eastern boundary. These new trees would be supplemented by several other landscaping features, including native mixed hedgerow, grass seeding and ornamental shrubs. This replacement planting would offset the removal of 13 trees (primarily category C), two groups of trees and a section of hedge.
- 7.8.3 The proposal would also incorporate hard landscaping features including permeable paving across the site to address drainage in line with Policy FP2, which encourages the use of SuDS. However, the hard landscaping for the road surface and service yard would need to be suitably robust and hardwearing for HGV movements.
- 7.8.4 It is considered the overall landscaping and tree strategy is high quality and would create an attractive landscaped setting for the proposed building, with clear biodiversity and visual amenity benefits in accordance with policies SP12 and NH5 of the Local Plan (2019).

7.9 Flood Risk and Drainage

- 7.9.1 A Flood Risk Assessment and Drainage Strategy accompanies the application. The report reviews the drainage and flood risk issues associated with the proposed development and sets out how surface water run off would be accommodated. The report states that the application site is located within Flood Zone 1 and that flood risk from fluvial and surface water flooding is low, albeit there are two small areas at medium and high risk which are localised. The development of the site for an employment use is therefore appropriate as set out by the 'flood risk vulnerability classification' contained within the Planning Practice Guidance. The Drainage Strategy sets out details in respect of surface water and foul water drainage.
- 7.9.2 Drainage strategies should adhere to the Sustainable Drainage Strategy (SuDS) hierarchy provided in the Local Flood Risk Management Strategy 2 (2019). The hierarchy identifies that living roofs and walls are the most-sustainable SuDS features, followed by ponds and basins, infiltration devices and permeable surfaces. Tanked and piped systems are identified as the least sustainable, providing no pollution reduction nor biodiversity benefit.
- 7.9.3 In the emerging local plan review and partial update, flood risk and drainage policies are significantly revised. Existing policy FP1 is replaced by a new sustainable drainage policy, which places an emphasis on the use of the most sustainable SuDS features and methods of surface water discharge. Meanwhile, existing policies FP2 and FP3 are combined into a new, more comprehensive flood risk policy, which largely reflects national flood risk policies but also seeks to protect watercourses and flood defences. Having regard to paragraph 49 of the NPPF, these emerging policies carry significant weight in the assessment of the application.
- 7.9.4 The drainage strategy advises foul water would drain into a public sewer under the cycle path to the south of the site. In terms of surface water, the strategy has considered the most appropriate drainage options, including ground conditions, ensuring efficient use of brownfield land and the SUDS hierarchy. Site investigations have demonstrated that infiltration is not a viable solution for surface water drainage as the ground is predominantly clay. As such, other methods have been considered. The proposed strategy includes the use of permeable paving and underground crates which would result in an overall betterment on the existing flow rate.

- 7.9.5 Whilst above ground solutions (swales, rain gardens, etc) have been considered, the site is also a brownfield site with no existing SUDS features. The NPPF (paragraph 124) and Local Plan both recognise the need to prioritise the use of brownfield land. NPPF paragraph 125 (c) is clear that substantial weight must be given to the reuse of brownfield land to meet identified needs, proposals should therefore be approved unless substantial harm would be caused. This is key, as whilst it is recognised that the Lead Local Flood Authority would prefer to see above ground SUDS features, this must be weighed against the substantial weight afforded to brownfield developments to meet identified needs (i.e. need for industrial and logistics land in Stevenage). The proposed drainage strategy does not result in increased flood risk on-site or off-site and instead has an overall betterment in terms of reducing flow rates by 99.6%.
- 7.9.6 At the request of HCC as Lead Local Flood Authority, additional information has been submitted to address the issues they have raised and updated comments are awaited. At the time of writing this report no comments have been received. If comments are received prior to the meeting and/or the drainage strategy is agreed an update will be provided, otherwise it is anticipated Members will agree to delegate powers being granted to the Assistant Director of Planning and Regulation to impose any conditions advised on any response provided after the committee meeting. However, it should be noted the LLFA does not object to the principle of the drainage strategy.
- 7.9.7 A decision will not be issued until the S106 Legal Agreement associated with the development has been signed, which will allow time for comments to be received. Therefore, comments will be fully considered prior to a decision being issued. However, if the Lead Local Flood Authority continues to raise an objection to this application and their concerns cannot be overcome, then this application will be referred back to the Planning and Development Committee for its decision.

7.10 Sustainable Construction and Climate Change

- 7.10.1 Policy FP1 of the adopted Local Plan (2019) stipulates that planning permission will be granted for development that can incorporate measures to address adaptation to climate change. New developments will be encouraged to include measures such as:
- Ways to ensure development is resilient to likely variations in temperature
 - Reducing water consumption to no more than 110 litres per person per day, including external water use
 - Improving energy performance of buildings
 - Reducing energy consumption through efficiency measures
 - Using or producing renewable or low carbon energy from a local source; and
 - Contributing towards reducing flood risk through the use of SuDS or other appropriate measures.
- 7.10.2 Under the Local Plan review, Policy FP1 has been revised to cover sustainable drainage and Policy SP1: climate change is the new relevant policy in this regard. The fundamental objective of Policy SP1 remains the same as previous policy FP1, however, it sets out in more detail the objectives to adapting to climate change. This policy requires, amongst other things the off-setting of emissions targets if not met on site, water usage targets, rainwater harvesting, grey water recycling, use of sustainable materials and practices on site, ultra-low and zero carbon combined heat and power systems and urban greening (green roofs and walls).
- 7.10.3 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. Emerging policy GD2 'Design certification' strongly supports development proposals which demonstrate that they have been designed to achieve a rating of excellent or higher against the relevant BREEAM standard.

- 7.10.4 The Council's Design Guide SPD (2025) sets out additional requirements with respect to climate change. The guide states that all developments are required to make efforts to minimise energy usage and to incorporate methods of using renewable energy, 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.
- 7.10.5 An Energy Strategy has been submitted with the application which outlines the key measures to be incorporated within the design in regard to sustainability, carbon emissions, renewable energy and environmental impacts of the development. The report confirms that the proposed development could achieve carbon and energy reductions through the inclusion of energy efficient measures and Low and Zero Carbon technologies including air source heat pumps and solar panels. The development would achieve an EPC A rating, as such, it is in accordance with Policy SP2 by taking a positive approach to energy use and with Policy FP1 by incorporating measures to address adaption to climate change.
- 7.10.6 A Utilities Statement has also been submitted which sets out the existing utilities on the site. The statement concludes that there should be sufficient capacity within the gas and water networks to support the proposed development. The applicant has committed to a minimum of BREEAM 'Excellent', which complies with emerging Local Plan policy GD2 'Design certification'.
- 7.10.6 The application is also accompanied by a Circular Economy Statement and Whole Life Carbon Assessment. The documents explain the design rationale for the development including how existing materials from demolition would be reused on-site, and how decisions have been made regarding the materiality of the development to reduce whole life carbon.
- 7.10.7 Given the above, and subject to conditions securing the measures identified to address adaptation to climate change, the development would exceed the requirements of the existing policy FP1, with the emerging policies carrying moderate weight.

7.11 Planning Obligations

- 7.11.1 The following planning obligations would be attached to any planning permission:
- Requirement to enter into a S278 Agreement of the Highways Act 1980 (covering access works)
 - £6000 Travel Plan evaluation and support fee
 - Local Employment and Apprenticeships
 - Monitoring fee
- 7.11.2 The above obligations have been agreed with the applicant and Hertfordshire County Council as Highway Authority (where relevant) and would be secured via a Unilateral Undertaking, subject to planning permission.

7.12 Other Matters

Community Infrastructure Levy

- 7.12.1 Stevenage Borough Council adopted a Community Infrastructure Levy Charging Schedule on 1 April 2020. This allows the Council to collect a levy to fund infrastructure projects based on the type, location and floor space of a development, in line with the rates shown in the table below.

Development Type	CIL Rate (£ per square metre)	
	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	

- 7.12.2 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.
- 7.12.3 CIL replaces the need for S106 agreements to specify financial and/or land contributions for non-site-specific infrastructure projects. This allows infrastructure to be planned on a borough-wide scale rather than on a site-by-site basis as mitigation against the impacts of individual proposals. A CIL Form 1: Additional Information has been submitted along with the application. The development would be CIL liable at £0/m².

Human Rights and Equalities

- 7.12.4 Consideration has been given to Articles 1 and 8 of the First Protocol of the European Convention on Human Rights. It is not considered that the decision would result in a violation of any person's rights under the Convention.
- 7.12.5 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. 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.
- 7.12.6 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.
- 7.12.7 The proposal would provide disabled spaces in the most accessible carpark location, level access to all parts of the site and disabled toilets / internal lift to ensure the site is accessible

to all. The proposed development would not have any material impact on persons with any of the protected characteristics listed under the Equalities Act.

8 CONCLUSION

- 8.1 This application seeks planning permission for the demolition of the existing building and construction of a new building for Use Classes E(g)(iii), B2 and B8 (flexible) including access, servicing, parking, hard and soft landscaping, and associated works. The site is located within the designated employment area of Gunnels Wood, which is identified to deliver industrial and logistic uses. Therefore, the proposal is acceptable in principle.
- 8.2 The proposal would contribute to modernising the employment floorspace in Stevenage, helping to address the identified shortfall in floorspace being delivered over the Local Plan period by redeveloping the site for the proposed uses. The building has been designed to create a high-quality frontage, particularly at the southwestern corner to provide a positive design feature overlooking the entrance to the site and creating an active frontage along Rutherford Close. Additional landscaping would be incorporated throughout the site and the proposals would meet BREEAM Excellent and EPC A standard. Further, the proposal has been carefully designed so as to not cause undue harm to nearby residents and would not prejudice highway safety.
- 8.3 Having regard to the above, the proposal is considered to accord with the development plan when read as a whole. In the absence of any other material considerations which indicate that permission should be refused, it is recommended that planning permission be granted.

9 RECOMMENDATION

- 9.1 That planning permission be GRANTED subject to the applicant having first entered into a Unilateral Undertaking to secure/provide contributions towards:
- S278 Agreement (covering access works)
 - £6000 Travel Plan evaluation and support fee
 - Local Employment and Apprenticeships
 - Monitoring fee
- 9.2 The detail of which would be delegated to the Assistant Director of Planning and Regulation in liaison with the Council's appointed solicitor, along with the recommendations of the Lead Local Flood Authority, as well as the imposition of suitable safeguarding conditions.
- 9.3 Authority would be given to the Assistant Director of Planning and Regulation in consultation with the Chair of Planning Committee, to amend or add to the suggested draft conditions set out in this report, prior to the decision notice being issued, where such amendments or additions would be legally sound and most effectively deliver the development that the Planning Committee has resolved to approve. These suggested conditions are as follows:

Conditions

1. The development hereby permitted shall be carried out in accordance with the following approved plans:
02001 REV PL01; 03000 REV PL02; 03001 REV PL06; 03002 REV PL01; 03101 REV PL02;
03102 REV PL02; 03103 REV PL02; 03201 REV PL05; 03210 REV PL01; 03211 REV PL01;
03301 REV PL03; 03302 REV PL02; 250109MJ-1; POE_322_001 REV D; POE_322_002;
25006-MBA-EX-SP-DR-E-0001 PL2.

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

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

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

3. No site clearance or construction work relating to this permission shall be carried out except between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 0800 and 1300 on Saturdays, unless otherwise agreed in writing by the Local Planning Authority. These times apply to work which is audible at the site boundary.

REASON:- To safeguard the amenities of the occupiers of neighbouring properties.

4. No demolition and site clearance shall commence until a demolition management plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter, demolition and clearance of the site shall only be carried out in accordance with the approved plan. The demolition management plan shall include details of the following:

- a) Vehicle numbers, type, routing;
- b) Access arrangements to site;
- c) Traffic and pedestrian management requirements;
- d) Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
- e) Siting and details of wheel washing facilities;
- f) Cleaning of site entrances, site tracks and the adjacent public highway;
- g) Timing of demolition activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
- h) Provision of sufficient on-site parking prior to commencement of demolition/site clearance activities;
- i) Where works cannot be contained wholly within the site, a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements;
- j) A Site Waste Management Plan including mechanisms to deal with environmental impacts such as air quality and dust control measures, noise and vibration restriction measures, light and odour and predicted and latterly actual waste arisings and how this is to be managed and where it is sent to.
- k) Dust control measures during demolition and construction from plant and machinery, and vehicles.

REASON:- In order to protect highway safety and the amenity of other users of the public highway and rights of way, in the interests of amenities of neighbouring properties, to ensure suitable, safe and satisfactory planning and development, in order to reduce the level of waste generated during demolition and to recycle all waste materials where possible.

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

- Access arrangements to the site.
- Traffic management requirements.
- Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas).
- Siting and details of wheel washing facilities.
- Cleaning of site entrances, site tracks and the adjacent public highway.
- Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times.
- Provision of sufficient on-site parking prior to commencement of construction activities.

- Post construction restoration/reinstatement of the working areas and temporary access to the public highway.
- Where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding which must be kept within the site boundary, pedestrian routes and remaining road width for vehicle movements.

REASON:- In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

6. Prior to commencing works on the vehicle access, technical plans shall be submitted to the Local Planning Authority which show the detailed engineering designs and construction of the vehicle access off Rutherford Close and associated highway works in accordance with the hereby approved plans. Prior to occupation, the access shall be delivered and retained as approved.

REASON:- To ensure the vehicle access is safe, suitable, and sustainable for all highway users in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

7. Before the occupation of the proposed development, a Parking and Servicing Management Plan (PSMP) shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, which details how parking will be managed and enforced, including how egress of HGVs will be managed to ensure that at no point are two HGVs expected to pass each other along Rutherford Close. The PSMP shall then be in operation from first occupation of the development hereby approved and shall thereafter be kept operational at all times.

REASON:- In the interest of maintaining highway efficiency and safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

8. The development shall ensure that arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

REASON:- To avoid carriage of extraneous material or surface water from or onto the highway.

9. The cycle parking shall be constructed and laid out in accordance with the agreed details and completed prior to occupation of the development hereby approved and shall thereafter be retained, maintained, and kept available for the occupants of the development at all times.

REASON:- To ensure the provision of adequate cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport in accordance with Policies 1, 5 and 8 of Hertfordshire's Local Transport Plan (adopted 2018).

10. Prior to the occupation/use of the development hereby permitted, EVCPs (active and passive) shall be installed in accordance with the approved details and permanently maintained and retained.

REASON:- To ensure construction of a satisfactory development and to promote sustainable development in accordance with Policies 5, 19 and 20 of Hertfordshire's Local Transport Plan (adopted 2018).

11. Prior to the first occupation/use of the development hereby permitted the car parking layout including servicing bays shall be installed in accordance with the approved detailed technical plans and thereafter retained at all times at the position shown or otherwise approved under condition 27.

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).

12. If 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.
13. The development hereby permitted shall not come into night time use until a verification report containing evidence of compliance with the maximum off-site artificial lighting levels as set out in Drawing Number 25006-MBA-EX-SP-DR-E-0001 Rev PL2 dated March 2025 cited in the External LED Lighting Assessment Report by MBA Consulting Engineers (Version 3, dated 22/4/2025) has been submitted to and approved in writing by the local planning authority. The luminaires and associated lighting equipment shall thereafter be retained, operated, and maintained in accordance with the manufacturers' specifications.
REASON:- In the interests of the amenities of nearby existing residential occupiers in accordance with Local Plan Policy FP7.
14. The rating level of noise emitted by any or all fixed plant shall not exceed 54dB(A) within the curtilage of any nearby residential property between 07:00 and 23:00 and 38dB(A) between 23:00 and 07:00 hours. Any measurement or computation, and assessment shall be made in accordance with BS 4142:2014+A1:2019.
REASON:- In the interests of the amenities of nearby existing residential occupiers in accordance with Local Plan Policy FP7.
15. The development hereby permitted shall not come into use until such time a noise barrier has been erected as shown on drawing 24-072-03001 Rev PL06 and within the Assessment of Noise report prepared by Sharps Acoustics LLP dated 20 March 2025. The barrier shall be imperforate and be retained and maintained for the life of the approved use.
REASON:- In the interests of the amenities of nearby existing residential occupiers in accordance with Local Plan Policy FP7.
16. There shall be no use of on-board commercial vehicle refrigeration or compressor units whilst on site at any time.
REASON:- In the interests of the amenities of nearby existing residential occupiers in accordance with Local Plan Policy FP7.
17. No vehicle internal combustion engine shall be used on site at any time other than in connection with that vehicle's movement.
REASON:- In the interests of the amenities of nearby existing residential occupiers in accordance with Local Plan Policy FP7.
18. There shall be no use of tonal alarms by any vehicle on site at any time.
REASON:- In the interests of the amenities of nearby existing residential occupiers in accordance with Local Plan Policy FP7.
19. The development to which this permission relates shall be carried out in accordance with the external materials specified on drawing number 03201 REV PL05 submitted as approved or any alternative to be submitted to and approved by the Local Planning Authority.
REASON:- To ensure a satisfactory appearance for the development.

20. All soft landscaping shall be carried out in accordance with the approved details as shown in drawing number POE_322_001 REV D to a reasonable standard in accordance with the relevant British Standards or other recognised Codes of Good Practice.
REASON:- To ensure a satisfactory appearance for the development.
21. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the completion of the development.
REASON:- To ensure a satisfactory appearance for the development.
22. Any trees or plants comprised within the scheme of landscaping, which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.
REASON:- To ensure a satisfactory appearance for the development.
23. No tree shown retained on the approved landscaping scheme, shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped within five years of the completion of development without the written approval of the Local Planning Authority.
REASON:- To ensure the protection of those trees which should be retained in the interests of visual amenity.
24. The measures to address adaptation to climate change as set out within the Energy and Sustainability Strategy and BREEAM Pre-Assessment by MBA Consulting Engineers shall 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.
25. The recommended mitigation measures and enhancements set out within the Ecological Appraisal by Aspect Ecology dated March 2025 shall be implemented and permanently maintained in accordance with the approved details.
REASON:- To minimise harm to biodiversity and enhance the ecological value of the site.
26. The external lighting strategy set out within the External Lighting Assessment Report by MBA Consulting Engineers rev PL3 dated April 2025 and drawing number 25006-MBA-EX-SP-DR-E-0001 Rev PL2 shall be implemented and permanently maintained in accordance with the approved details.
REASON:- To minimise pollution of the environment and to protect foraging and commuting bats.
27. Should the end user of the building hereby approved fall within planning use class E(g)(iii), a parking layout plan shall be submitted to and approved by the Local Planning Authority prior to occupation.
REASON:- To ensure there is sufficient parking to serve the development.
28. No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) and piling layout plan including all Thames Water wastewater assets, the local topography and clearance between the face of the pile to the face of a pipe has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement and piling layout plan.
REASON:- The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure.

29. No part of the development hereby permitted shall be occupied prior to the implementation of the approved Travel Plan, dated May 2025. Those parts of the approved Travel Plan that are identified therein as being capable of implementation after occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied.

REASON:- To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies 3, 5, 7, 8, 9 and 10 of Hertfordshire's Local Transport Plan (adopted 2018).

Pro-active Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which lead to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

INFORMATIVES

1. The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website:
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highwaysdevelopment-management.aspx>
2. 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:
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>
3. New or amended vehicle crossover access (section 278): Where works are required within the public highway to facilitate a new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the County Council website at:
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-toyour-road/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.
4. It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and 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 are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website:

5. A Section 106 agreement will be required for the following: Approved Travel Plan with individual monitoring fees in accordance with the current HCC Travel Plan Guidance for Business and Residential Development (£6k per use). The above contributions will come under the auspices of the Planning Obligations Guidance Toolkit for Hertfordshire (2008) for schemes in the local area that accord with the three CIL tests.
6. 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.
7. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed online via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.
8. 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.
9. 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).

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

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

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

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

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

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

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

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

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

10 BACKGROUND DOCUMENTS

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. The Stevenage Local Plan 2011-2031.
3. Stevenage Borough Council Supplementary Planning Documents – Parking Provision SPD (2025); Developer Contributions SPD (2025); Design Guide SPD (2025).
4. Hertfordshire County Council Local Transport Plan LTP4 2018-2031
5. Central Government advice contained in the National Planning Policy Framework 2024 and the National Planning Practice Guidance.
6. Responses to consultations with statutory undertakers and other interested parties referred to in this report.