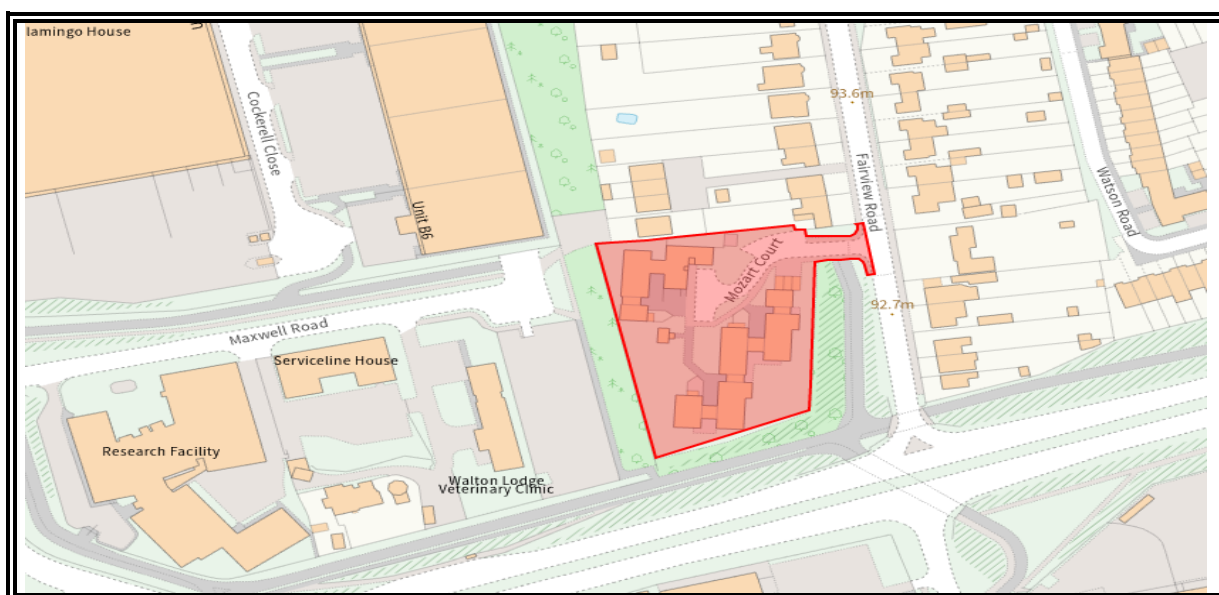


Meeting: Planning and Development Committee
Agenda Item:
Date: 28 October 2025
Author: Linda Sparrow
Lead Officer: Alex Robinson
Contact Officer: Linda Sparrow

Application No : 25/00457/FPM
Location : Mozart Court Fairview Road
Proposal : Demolition of existing buildings and construction of accommodation for older people, comprising 79no. apartments and associated works.
Drawing Nos.: 2064-SBA -XX-00-DR-A-504-G; 2064-SBA -XX-00-DR-A-010-Q; 2064-SBA-XX -01-DR-A-011-Q; 2064-SBA-XX-00 -DR-A-505-A; 2064-SBA-XX-00-DR-A-506-A; 1852-PWL-ZZ-XX-DR-L-1001-PO9; BXMW-BLOX-A-41-OF-FSC-BLOX-A; 1852-PWL-ZZ-XX-DR-L-1002-P02; 2064-SBA-XX-00-DR-A-501-A; 2064-SBA-XX-00-DR-A-502; 2064-SBA-XX-00-DR-A-503-A; 2064-SBA-XX-02-DR-A-012-N; 2064-SBA-XX-03-DR-A-013-N; 2064-SBA-XX-04-DR-A-014-L; 2064-SBA-XX-05-DR-A-015-L; 2064-SBA-XX-06-DR-A-016-K; 2064-SBA-XX-ZZ-DR-A-050-H; 2064-SBA-XX-ZZ-DR-A-530; 2064-SBA-XX-ZZ-DR-A-531; 2064-SBA-XX-ZZ-DR-A-520-E; 2064-SBA-XX-ZZ-DR-A-521-E; 2064-SBA-XX-ZZ-DR-A-522-E; 2064-SBA-XX-ZZ-DR-A-523-F; 2064-SBA-XX-ZZ-DR-A-524-F; 241117-CPW-XX-00-DR-E-307002-S3-P02;
Applicant : Anchor Housing
Agent: Pegasus Planning Group Ltd
Date Valid: 18 June 2025
Recommendation: GRANT PLANNING PERMISSION



1. SITE DESCRIPTION

- 1.1 The application site comprises an established older person's residential site, first granted planning permission in 1972 (2/0360/72) which comprises 33 units. There is no evidence to suggest that it has operated as anything other than older persons accommodation since construction. The site lies at the southern end of Fairview Road, bounded by Fairview Road, Fairlands Way and Maxwell Road. It comprises 3 buildings of one, two, and three storeys. On the northern side of the site is an electricity sub-station. Car parking is located throughout the site as well as a small area to the northern side of the site near the entrance.
- 1.2 The east, west and south boundaries of the site are heavily screened by existing landscaping of tall, mature trees, most of which are planted on land outside of the curtilage of the site and are therefore within the ownership of the Council. There are a number of mature trees within the curtilage of the site as well.
- 1.3 To the north and east are two storey residential dwellings, mostly detached or semi-detached and of varying design and materials. Further east is the development of Watson Road and Kilby Road which comprise a mix of dwellings, and low-rise and high-rise flat blocks finished in multiple render colour options and brickwork. To the south is Fairlands Way with commercial premises beyond, and to the west is Maxwell Road which comprises commercial enterprises and a private residential dwelling which is a Grade II Listed Building, Broomin Green Farm.

2. RELEVANT PLANNING HISTORY

- 2.1 None.

3. THE CURRENT APPLICATION

- 3.1 This application seeks planning permission for the demolition of the existing buildings which contain 33no. older persons apartments and replacement with a six-storey building comprising 68no. one-bedroom and 11no. two-bedroom apartments for independent living of older persons.
- 3.2 Improved car parking, cycle storage and the storage of waste and recycling will be provided, and the soft landscaping of the site will be significantly improved with dedicated allotments, orchards and communal gardens with sculptures and improved outdoor seating.
- 3.3 The main aims of independent living are:
 - To provide older people with their own self-contained apartment;
 - To promote independence within a community where people have active social lives;
 - To provide flexible care and support from a care team when required;
 - To provide and maintain a balanced community ranging from those with high care needs to those with virtually none;
 - To offer a 'home for life' as far as practically possible;
 - To provide cost-effective care and value for money for the commissioning authority.
- 3.4 New and modern independent living schemes are designed to be suitable for residents who require varying degrees of care ranging from people who still live fully independent lives through to people who require a daily carer. The principle behind this is that as people's needs vary over time, residents can remain in their homes and adapt their environment to suit their needs rather than having to move to a new house.

- 3.5 Personal care services would be provided either through social services or paid for privately. Residents live in their own apartment although there are communal areas, such as lounges, so people can meet up with friends or join in with social activities if they want to. Support accommodation such as staff/visitor sleep-over facilities, offices, quiet areas, laundry, treatment room and bathing spa are provided within the building to aid the support network for the residents.
- 3.6 The building would predominantly measure approximately 20m high with a small design element in the south-eastern corner measuring approximately 24m high and the northern elevation adjacent to No. 210 Fairview Road would only be 12.7m high. The building will have a flat roof.
- 3.7 Car parking would be to the northern part of the site, 4no. cycle storage units will be placed close to the building/car parking area and the waste/recycling storage shed would be to the north of the building. A new circulatory path will navigate the perimeter of the building and connect into the residents' garden/central plaza area as well as the pedestrian footpath at the site entrance/Fairview Road.
- 3.8 The final material details would be determined via the submission of a detailed specification prior to the development proceeding above slab level, however, the submitted plans indicate the use of buff coloured brick at ground floor with red brick or grey curtain wall cladding to upper floors. The entrance point to the building would be smooth rendered in a cream colour. These material choices are consistent with surrounding residential properties.
- 3.9 The proposal consists of the following:
- Ground floor – 10no. one-bed units
 - First floor – 14no. one-bed units and 1no. two-bed unit
 - Second floor – 14no. one-bed units and 1no. two-bed unit
 - Third floor – 12no. one-bed units and 3no. two-bed units
 - Fourth floor – 9no. one-bed units and 3no. two-bed units
 - Fifth floor – 9no. one-bed units and 3no. two-bed units
- 3.10 The application comes before the Council's Planning and Development Committee as the application is a Major residential development.

4. PUBLIC REPRESENTATIONS

- 4.1 Following notification of the application via letters to adjoining landowners, a site notice, and a press notice, four public representations have been received.
- 4.2 A summary of the comments received are set out below:
- 20no. integrated swift bricks should be installed
 - The developer's public consultation was held miles away from site
 - Not enough car parking and visitor spaces must be additional
 - No gates on site to deter commuters
 - Not in keeping with houses on Fairview Road
 - Trees along boundary should not be touched
 - Noise and disruption from construction
 - Loss of privacy as higher than the trees
 - Insufficient and inappropriate cycle storage
- 4.3 The aforementioned is not a verbatim copy of the objections which have been raised. Full copies of the representations received can be viewed on the Council's website.

5. CONSULTATIONS

5.1 UK Power Networks

The proposed development is in close proximity to our substation. 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.

5.2 HCC Minerals and Waste Policy Team

In relation to minerals, the site is not located within the 'Sand and Gravel Belt' or a Mineral Resource Block. British Geological Survey Data does identify that there could potentially be some sand/gravel deposits beneath the proposed development site. The Waste Planning Authority would expect to see a SWMP prepared to support this application. The SWMP must be prepared and agreed in consultation with the Waste Planning Authority prior to commencement of the project. The SWMP must be implemented throughout the duration of the project, from initial site preparation works to final completion of the construction phase.

5.3 Herts Police Crime Prevention Design Officer

This is a well thought out and designed scheme. Although, I am disappointed that the applicant has not sort accreditation to the Police preferred minimum security standard that is Secured by Design (SBD). Between May 2024 to the thirtieth of April 2025, within one hundred metres of the site there were eight reported crimes three were recorded as antisocial behaviour (ASB), and there were two assaults. By seeking to achieve SBD accreditation this can provide at least a twenty-five percent reduction in ASB. In addition, SBD can provide a greater than eighty percent reduction in dwelling burglary. Given that SBD can reduce the risk of dwelling burglary by over eighty percent this results in a massive saving on the carbon footprint of the development over its lifetime. Given the comments above the Police Crime Prevention Design Service cannot fully support this application, but we are not looking to oppose it.

5.4 SBC Waste and Recycling Team

We have no concerns regarding the location of the bin store or access for the collection vehicle. The bin store on the submitted plans would not be of a size to accommodate the required number of receptacles for a scheme of this size.

5.5 Affinity Water

You should be aware that the proposed development site is located within an Environment Agency defined groundwater Source Protection Zone 1 corresponding to our Pumping Station. This is a public water supply, comprising a number of Chalk abstraction boreholes. We currently object to the application as we require the submission of further information for our review, to allow us to assess the application in greater detail and, if we are able to remove our objection, provide informed condition requirements.

5.6 Thames Water

Waste Comments: The proposed development is located within 15 metres of a strategic sewer. Thames Water requests a piling foundations condition to be added to any planning permission. Public sewers are crossing or close to your development. Build over agreements are required for any building works within 3 metres of a public sewer and, or within 1 metre of a public lateral drain. With regard to surface water, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection.

Water Comments: The applicant is advised that their development boundary falls within a Source Protection Zone for groundwater abstraction. These zones may be at particular risk from polluting activities on or below the land surface. To prevent pollution, the Environment Agency and Thames Water (or other local water undertaker) will use a tiered, risk-based approach to regulate activities that may impact groundwater resources. The applicant is encouraged to read the Environment Agency's approach to groundwater protection.

5.7 Environmental Health

Concerns regarding adjacent commercial premises can be mitigated with appropriate conditions for glazing and ventilation specifications and construction of acoustic barrier as shown on the plans, to protect future occupiers. External lighting could potentially spill out from the site which can be conditioned to ensure a suitable scheme is implemented, additional ground investigations for contamination are required as per the submitted reports which can be conditioned. Conditions for a construction management plan and compliance of plant and machinery are also necessary to protect residential amenities. No objections subject to conditions.

5.8 HCC Highways

9th July 2025: There is insufficient information supplied with this application to enable the Highway Authority to reach a recommendation. In the absence of important information and lack of promotion of sustainable travel opportunities in and around the site, the current submission would not be acceptable in terms of highway safety and LPT4 policy compliance. Would require a s.106 financial contribution to improve bus services and connections in the Gunnells Wood Road/Fairview Road/Fairlands Way area.

26th July 2025: The Bus Services Team has confirmed that funding from the Costco development is available to support these improvements and is actively working towards their delivery. The Highway Authority is content with the development proposal, subject to conditions for a CMP, parking & access, and stopping up of highway land.

5.9 HCC Growth and Infrastructure Unit

No comments to make in relation to financial contributions required by the Hertfordshire County Council's Guide to Developer Infrastructure Contributions 2021.

5.10 East of England Ambulance Trust

This application could generate another 46 residents and will generate an anticipated additional 23 calls per annum on already constrained ambulance services. In order to meet the additional population growth at the development location EEAST requires mitigation which is sought through a s106 agreement and/or CIL.

5.11 NHS England

Based on the information that this development will produce 29 apartments NET creating circa 58 new patient registrations based on an average occupancy of 2 persons per unit. This development will have an impact on primary health care provision in the Stevenage area and its implications, if unmitigated, would be unsustainable for the NHS. We seek a financial contribution to mitigate this.

5.12 BEAMS

The grade II listed Broomin Green Farmhouse lies 85 metres to the west of the application site; the setting of this designated heritage asset needs to be considered. The redeveloped Mozart Court will be more visible in views along Fairlands Way due to its greater height, however, the setting of Broomin Green Farmhouse will not be directly impacted, and its significance will be preserved. No objection.

5.13 Herts County Council as Lead Local Flood Authority (LLFA)

We have no objection subject to conditions being attached to any consent if this application is approved. Drainage strategy is acceptable, but evidence of infiltration testing is required and details of floor levels. An updated strategy will need to be provided and details of the maintenance and management of the onsite SuDS.

5.14 Herts Fire and Rescue Service – Water Officer

We will require a condition for the provision and installation of fire hydrants, at no cost to the county council, or fire and rescue service. This is to ensure there are adequate water supplies available for use in an emergency, at all times.

5.15 SBC Arboricultural Manager

I can confirm that, in principle, I have no objection to it, from an Arboriculture viewpoint. I suggest that one of the conditions for this development is that the nearest trees, on the Eastern, Southern and Western sides, (owned by the Council) are pruned/overall reduced, before the commencement of the construction work, at the cost of the applicant. The submitted Arboricultural Report addresses my concerns regarding tree protection very well.

5.16 SBC Green Spaces Department

Overall, I was impressed with what is being proposed. It is reassuring to see that the BNG assessment indicates that the scheme will provide a significant uplift in biodiversity on site. We note that a bat survey was conducted, and although no emerging bats were observed, evidence of foraging bats was found in the area. Therefore, a sensitive lighting scheme must be implemented to mitigate impacts.

5.17 SBC Ecology Officer

The applicant is to follow the recommendations of the Preliminary Roost Assessment (PRA) and the Preliminary Ecological Appraisal (PEA). The applicant is to provide contact details of the responsible person/company that will be maintaining the habitats stated in the metric and BNG report. This responsible person/company is to provide a management and monitoring plan for the 30 years post creation. This responsible person/company is to provide evidence in a report that the habitats and areas of habitats as stated in the metric submitted for the application, have been created. These details can be secured via condition.

5.18 Health and Safety Executive – Planning Gateway One

No comments to make as the development does not meet the criteria to be consulted on.

6. RELEVANT PLANNING POLICIES

6.1 The Development Plan

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

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

6.2 National Planning Policy Framework

- 6.2.1 The latest revision of the NPPF was published in December 2024. The policies it contains are material considerations which will be taken into account in dealing with applications. Due weight will be given to development plan policies according to their degree of consistency with the NPPF.

6.3 Housing Delivery Test and 5-Year Land Supply

- 6.3.1 Since November 2018, housing delivery has been measured against the Housing Delivery Test (HDT) as set out by the Government planning policy and guidance. The results of the HDT dictate whether a local planning authority should be subject to consequences to help increase their housing delivery. Where an authority's HDT score is less than 95%, the authority should prepare an action plan to assess the causes of under delivery and identify actions to increase delivery in future years. Where an authority's HDT score is less than 85% of its housing requirement, the Council must incorporate a 20% buffer into

its housing supply calculations in line with paragraph 79 of the NPPF. This will be in addition to the preparation of an Action Plan. Where an authority's score is below 75%, the Council will be subject to the HDT's most severe penalty and must apply the presumption in favour of sustainable development under paragraph 11d) of the NPPF. The latest HDT results published by the Ministry of Housing, Communities, and Local Government (MHCLG) in December 2024 identifies that Stevenage delivered 38% of its housing requirement.

- 6.3.2 The Council, based on its HDT score is currently subject to the most severe penalty under paragraph 11(d) of the NPPF (2024). For reference, as this policy is now engaged, it means Local Plan policies would be classed as out-of-date. Consequently, Stevenage Borough Council must apply the presumption in favour of sustainable development in its decision making and give great weight towards the need to deliver housing. The Council must also apply a 20% buffer in its 5-year housing supply calculations, and it also has to produce an Action Plan in order to boost housing delivery.
- 6.3.3 On the 21st May 2024, the Council published its 5 Year Land Supply Update May 2024. This identifies that the Council can demonstrate a Housing Supply of **5.59 years** for the period 01 April 2024 to 31 March 2029, using the *Liverpool* methodology (spreads the delivery of historic undersupply of housing equally across the remainder of the Local Plan period) and guidance from the NPPF and Planning Practice Guidance. The 5-year land supply includes a 20% buffer.
- 6.3.4 However, the Revised Housing Technical Paper (June 2025) identifies that the Council's Housing Supply is at **5.49 years**, but this has yet to be confirmed through an Examination in Public (EiP) and is therefore not formally adopted at this time.
- 6.3.5 The Council, based on its HDT score is currently subject to the most severe penalty under paragraph 11(d) of the NPPF (2024). For reference, as this policy is now engaged, it means Local Plan policies relevant to determine this application would be classed as out-of-date. Consequently, Stevenage Borough Council must apply the presumption in favour of sustainable development in its decision making and give great weight towards the need to deliver housing. The Council must also apply a 20% buffer in its 5-year housing supply calculations, and it also has to produce an Action Plan in order to boost housing delivery.

6.4 Planning Practice Guidance

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

6.5 National Design Guide

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

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

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

Policy SP1: Presumption in favour of sustainable development;
Policy SP2: Sustainable development in Stevenage;
Policy SP5: Infrastructure;
Policy SP6: Sustainable transport;
Policy SP7: High quality homes;
Policy SP8: Good design;
Policy SP11: Climate change, flooding, and pollution;
Policy SP12: Green infrastructure and the natural environment;
Policy IT4: Transport assessments and travel plans;
Policy IT5: Parking and access;

Policy IT6: Sustainable transport;
Policy HO5: Windfall sites;
Policy HO7: Affordable housing targets;
Policy HO8: Affordable housing tenure, mix and design;
Policy HO9: House types and sizes;
Policy HO10: Sheltered and supported housing;
Policy HO11: Accessible and adaptable housing;
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 FP8: Pollution sensitive uses;
Policy NH5: Trees and woodland.

6.7 Local Plan Review and Update (2024)

6.7.1 Local Plan Partial Review and Update

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

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

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

6.8 Supplementary Planning Documents

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

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

6.9 Community Infrastructure Levy

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

7. APPRAISAL

- 7.1.1** The main issues in the assessment of the application are its acceptability in land use policy terms, affordable housing and planning obligations, visual impact of the development, impact upon neighbouring amenities, impact upon future amenities of residents, parking provision, highway implications, development and flood risk, impact on the environment, trees, landscaping and Biodiversity.
- 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 Principle of Development

- 7.2.1 The NPPF (2024) states that the purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF also stipulates that decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area. In addition, the Framework also sets out that sustainable development needs to be pursued in a positive way and at the heart of the framework is a "presumption in favour of sustainable development". It also states that significant weight should be placed on both the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.
- 7.2.2 The proposed site is undesignated in the adopted Stevenage Borough Local Plan 2011-2031 (2019) and is not allocated for residential development within the Local Plan. As such, the site is therefore regarded as a 'windfall site'.
- 7.2.3 Policy SP7 of the adopted local plan sets a strategic target of 7,600 homes to be provided within the borough over the plan period from 2011 to 2031. The emerging partial update of the local plan identifies that 4,956 of these homes remain to be delivered as of 2024. However, the overall target remains unchanged, and the proposed development would make a small but nonetheless positive contribution to meeting this target.
- 7.2.4 The spatial strategy for housing also remains unchanged; the majority of the planned new housing will be delivered on regeneration sites in the town centre and in urban extensions to the north, west and south-east of the town, with a sizeable minority delivered on smaller housing sites spread throughout the borough. An allowance is also made for residential development coming forward on sites not specifically allocated for any purpose in the local plan, referred to as "windfall" sites.
- 7.2.5 In this case, the application site is not designated for any particular purpose in the local plan. The proposed development is therefore treated as windfall development and is subject to Policy HO5, which sets out criteria such development must satisfy. The proposal satisfies these criteria insofar as they relate to land use: the site is previously developed land (as defined by annex 2 to the NPPF); it enjoys good access to shops, schools and other local facilities necessary for day-to-day living; and the proposed development would not prejudice the delivery of housing on any allocated housing sites.
- 7.2.6 In accordance with the fundamental objectives of updated Policy SP2 (Sustainable Development), residential developments must have a good level of access to local facilities. The site lies within walking distance of both the High Street, the Town Centre, the train station and the bus interchange. There are bus stops directly outside the site entrance and a cycle network runs along the southern site boundary, linking the site to the majority of the town by both walking and other means of non-car modes of transport. There are two GP surgeries within 15-minutes' walk (Stanmore Medical Group and King George Surgery).
- 7.2.7 The effect of the proposal on housing choice (in terms of the range of housing types and sizes provided in the borough) is also a relevant consideration. To this end, Policy HO9 of the local plan requires residential developments to provide an appropriate mix of housing types and sizes, having regard to existing imbalances in the borough's housing stock and the most up-to-date evidence on housing need.
- 7.2.8 The only identified imbalance in the borough's existing stock is a very high proportion of three-bedroom dwellings and terraced dwellings. As for housing need, the latest evidence is presented in the Strategic Housing Market Assessment (SHMA) 2023. The SHMA 2023 shows that the need for one-bedroom affordable units is marginally higher than the need for four-bedroom or larger market units. The proposal is consistent with the aim of meeting this identified need.

- 7.2.9 Paragraph 61 of the NPPF (2024) states that to support the Government's objective of significantly boosting housing supply, it is important that a sufficient amount, and variety, of land comes forward where it is needed, that the needs of groups with specific housing requirements are met, and that land with permission is developed without unnecessary delay. In addition, para 61. of the NPPF states that the overall aim should be to meet as much of an area's identified housing need, including with an appropriate mix of housing types for the local community. As such, the proposed development would contribute to the aim of boosting housing supply without compromising the delivery of housing on allocated sites.
- 7.2.10 In summary, whilst the Council is currently able to demonstrate a five-year supply of deliverable housing sites, due to the under-delivery of housing as identified in recent HDT scores, paragraph 11(d) of the NPPF is engaged as there is a presumption in favour of delivering sustainable development. Consequently, this is considered to be a key material consideration in the assessment of this application.
- 7.2.11 The proposed development would contribute to the aim of boosting housing supply as required by the NPPF without compromising the delivery of housing on allocated sites or placing an undue burden on local infrastructure. There would be some economic benefit during the construction phase, and future occupiers would be likely to contribute to local services and facilities. Given the quantum of development, it is considered that these benefits would be substantial and therefore attracts significant weight in favour of the proposal.
- 7.2.12 On balance, having regard to all the policy considerations laid out above, the proposed development is considered to be acceptable in principle.

7.3 Affordable Housing and Planning Obligations

- 7.3.1 Policy HO7 of the adopted Local Plan (2019) stipulates that planning permission would be granted for residential development which would maximise affordable housing provision. Taking this into consideration, there is a requirement to provide 25% of new homes to be affordable on previously developed sites. In this regard, there would be a requirement to provide 11.5 affordable units, rounded to 12 units, based on the net additional 46 dwellings.
- 7.3.2 Turning to affordable housing tenure, mix and design, Policy HO8 states that planning permission will be granted where those dwellings:
- a) Are provided by the developer on site with at least 70% of the units being for rent and the remainder consisting of other tenures which is to be agreed with the Council's Housing team;
 - b) Meets the requirements of Policy HO9 (House types and sizes);
 - c) Are physically indistinguishable from other types of homes and are distributed across the site to avoid over-concentration in particular; and
 - d) Will remain at an affordable price for future eligible households.
- 7.3.3 In addition to the above, paragraph 66 of the NPPF (2024) stipulates that for major developments involving the provision for housing, planning decisions should expect that the mix of affordable housing required, meets identified local needs, across Social Rent, other affordable housing for rent, and affordable home ownership tenures.
- 7.3.4 In regard to affordable housing delivery, the Council's five-year land supply includes the provision of a number of affordable housing units. The table below illustrates the forecast for affordable housing delivery 2011-2031. At present, the Council can demonstrate a delivery of 601 affordable units between 2024 and March 2031:

Deliverable Housing	No. of Homes	Comments
Total Number of Affordable Units Dwellings for Sites with Detailed Planning Permission	376	NPPF Part A
Total Number of Dwellings for Sites with Outline Permission	225	NPPF Part B
Total Identified Supply 2024 - 2031	601	
Total Delivered 2011 – April 2024	141	Smartherts
Total Required 2011 – 2031 based on SHMA 2023 (including 312 who aspire to home ownership)	2114	(114 Annual Requirement x 20yr Plan Period)
Total Shortfall	1372	

- 7.3.5 The most recent Housing Technical Paper identifies the total need for affordable housing between 2022 and 2031 which is shown below. Based on the delivery of affordable housing set out above, against that of the identified need below, there is a significant shortfall that this application will help address, which carries significant weight in favour of the application.

Figure 4: Overall need for Affordable Housing 2022-31 in Stevenage by property size

Stevenage	Affordable Housing Need Households unable to afford	Affordable Housing Need Households aspiring to home ownership	Affordable Housing (Households)
1 bedroom	94	103	197
2 bedrooms	442	125	567
3 bedrooms	993	84	1,077
4+ bedrooms	272	-	272
TOTAL HOUSING NEED	1,802	312	2,114

- 7.3.6 The proposed development is seeking to deliver 79no. dwellings, which, considering the existing development, would be a net gain of 46 dwellings. Accordingly, the overall provision of affordable housing at 12 units, is broken down as follows:
- 70% affordable rent – 8 units
 - The remainder to be determined by the Council's Housing Development Team – 4 units.
- 7.3.7 However, the applicant is seeking to provide 100% affordable homes offered as social rent to people on the housing register, although it should be noted that only the policy compliant element (25%) can be secured through a legal agreement. In terms of the final affordable housing mix for this development, this would be negotiated and secured as part of any S.106 agreement.
- 7.3.8 As a consequence, if planning permission were to be granted for this development, the level, and tenure, of affordable housing the development would provide is deemed to be a significant benefit and would help address the identified shortfall of affordable homes which still have to be delivered up to end of the Local Plan period.

Other Financial Contributions

- 7.3.9 Financial contributions are also required in line with the Developer Contributions Supplementary Planning Documents (2025). In this regard, only a contribution to be made towards the Local Training Fund if target employment of Stevenage residents is not met as follows:
- £4,000 per number of targeted jobs not filled by Stevenage residents;
 - £2,000 per number of targeted apprenticeships not filled by Stevenage residents or students; and
 - £500 per apprenticeship position as an administrative fee towards the brokerage system to fill apprenticeship positions;

- If a major development could not provide suitable apprenticeship opportunities due to the quick construction of the development project, and the resultant lack of suitable opportunity to provide apprenticeships, they should pay a lesser fee of £1,000 per number of targeted apprenticeships not created rather than the £2,000 fee.

- 7.3.10 These targets do not add a requirement for additional jobs that would add a financial burden to the developer or contractor. The targets merely add a requirement that a portion of the jobs will be targeted to local residents. The in-lieu payments do not add a significant financial burden to the developer or contractor and will only be required if the developer or contractor does not meet the employment targets.
- 7.3.11 The Developer Contributions SPD (2025) also has a requirement for fees to be paid to cover the monitoring of legal agreements. This cover requesting payments, ensuring transfer and/or expenditure of money and keeping/publishing records of contributions in line with regulations. The Council will seek 5% of the value of contributions being monitored with a minimum fee of £1000.00 and a cap of £50,000.00. This is considered a fair cost that will reflect the value of the legal agreement and will not affect the viability of a scheme being delivered.
- 7.3.12 NHS England have stated that they will require financial contributions towards improving existing GP surgeries as well as contributions towards community healthcare and mental health care. When it comes to the NHS and their requests for s.106 contributions, there is an appeal in Elsenham (s62A/2023/0026) that references R.(oao University Hospitals of Leicester NHS Trust) v Harborough District Council (2023) EWHC 263 (admin), and the Inspector agrees that the judgement rules that the starting point is for the NHS to provide medical provision for new residents, and that this is a statutory duty of the NHS. The inspector concludes that the NHS must demonstrate funding gaps and in the absence of such evidence, then contribution requests would not pass the statutory tests.
- 7.3.13 Appeal reference APP/J0405/W/24/3339126, Buckinghamshire, concluded that the NHS contributions sought in that case passed the statutory tests because they provided the necessary evidence of funding deficiencies and identified specific projects, including an expansion of existing clinical spaces to increase capacity.
- 7.3.14 However, in this instance, the NHS have provided comments requesting £40,397.00 that will be spent physically expanding existing GP Surgeries to increase patient intake and towards the future Stevenage Hub project (proposed in the Town Centre SG1 Regeneration project as a brand-new NHS surgery). They have requested an additional £5,851.00 in mental health care costs and £5,279.00 community healthcare costs, giving a total request for £51,527.00.
- 7.3.15 The East of England Ambulance Trust advised that they seek a contribution of £15,640.00 for the redevelopment of the existing Stevenage Ambulance Hub.
- 7.3.16 The applicant disputes the NHS and Ambulance Trust requests for the main reason that the development would not see an increase in number persons using the NHS as these people are already living in Stevenage and would already be accounted for. Additionally, the development is purpose built for older persons and the inclusion of such items as grab rails, shower seats, level entry thresholds and ramps, reduces the number of falls and accidents and therefore this type of accommodation can *reduce* the impacts and pressures on the NHS.
- 7.3.17 As neither the NHS or the Ambulance Trust have sufficiently set out any funding gaps and how the contributions would mitigate a funding gap, the Council is minded to agree with the applicant in this instance that the requests fail to meet the necessary CIL Reg 122 tests and are therefore unreasonable and would not be included in any s.106 legal agreement if the application is granted planning permission.

7.3.18 Herts County Council as Highways Authority initially sought to secure contributions to improve the bus services in and around Gunnels Wood Road, Fairview Road and Fairlands Way, to the sum of £60,000.00. However, they went on to withdraw this request and confirmed that the records show a financial contribution from the Costco development will cover this.

7.3.19 No other financial contributions have been sought by other consultees.

7.4 Design and visual impact

7.4.1 Chapter 12. (Achieving well-designed places) of the NPPF (2024) stipulates that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process. Where development is not well designed, permission should be refused.

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

7.4.3 The current site is occupied by single storey and two storey 1970s yellow-buff brick buildings with mono-pitched roofs. Fenestrations are white uPVC and there is limited landscaping in the form of grass and some pockets of shrubbery. The site offers limited architectural interest.

7.4.4 The proposal would see the demolition of all buildings on site. The building in the north-west corner would be replaced with car parking and landscaping. The remaining buildings would be replaced with one large L-shaped building, predominantly six storeys in height, although it would only be three storeys in height adjacent to the neighbouring property at No.210 Fairview and four storeys in height on the western boundary with the currently vacant commercial premises/Broomin Green Farmhouse.

7.4.5 The building will be constructed with a mixture of materials – buff brick and smooth cream render at ground floor, red brick and grey cladding on upper floors, with aluminium fenestration and metal railings and solid panels to balconies. The materials are considered acceptable and of similar appearance to those used in the surrounding area.

7.4.6 It is accepted that the proposed building is very different to the existing buildings and very different to anything existing in the wider area. However, the use of high-quality materials and a modern, contemporary design will add interest to views along Fairview Road and Fairlands Way.

7.4.7 The building would have a similar footprint to the existing building, expanding upwards rather than outwards to accommodate the necessary increase in dwelling units. The visual appearance of the building, with the differing heights and recessed/projecting elements add architectural interest and, as a result, the building does not appear as a large bulky mass in the street scene. The use of differing materials results in a modern and high-quality building which adds interest to the character and appearance of the area. With innovation in design lacking in the Town, modern and contemporary architectural developments are welcomed as encouraged in the Council's Design Guide SPD.

7.4.8 Herts Police Crime Prevention Design advisor has assessed the application and advised that they would like to work with the developer to achieve Secured by Design standard. This standard is a proven method of reducing crime and can also reduce the carbon footprint over the lifetime of the development. An informative can be added to any grant of permission advising the applicant that this is something they could consider. It is not

mandatory, or necessary, in order to secure an acceptable development so cannot be secured by condition.

7.4.9 The accompanying Design and Access Statement sets out some of the design characteristics that make the site accessible to mobility impaired people:

- Level access thresholds to the building and all dwellings
- Level access footpaths and gardens
- Internal corridors wide enough to allow two wheelchairs to pass each other
- Large lifts to accommodate 13 people
- Accessible and adaptable dwellings to allow wheelchair use, low level showers etc
- External pathways a minimum of 1.5m wide and suitable materials for wheelchair use

7.4.10 Overall, the design, scale, and massing are considered acceptable for this prominent corner plot location. The materials and appearance of the proposal are modern and high quality. The outdoor spaces are a significant improvement on the existing site and will have a significant positive contribution to the visual amenities of the area. The accessible and adaptable measures proposed are substantial benefits to future occupiers.

Impact on Designated Heritage Assets

7.4.11 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority should have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

7.4.12 Chapter 16 of the NPPF (2024), specifically paragraphs 207 to 221, requires Local Planning Authorities to place great weight on preserving historic assets and their significance; that 'Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification; and that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

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

7.4.14 Broomin Green Farm is a residential dwelling that lies to the west of the application site. is a Grade II Listed Building and as such is classified as a Designated Heritage Asset. The application was accompanied by a Heritage Assessment which has been reviewed by the Council's Heritage Advisor, BEAMS.

7.4.15 The Heritage Advisor confirms that whilst the redeveloped Mozart Court will be more visible in views along Fairlands Way, the setting of Broomin Green Farmhouse will not be directly impacted, and its significance will be preserved. Accordingly, there is no requirement to undertake any further assessment in this regard.

7.5 Impact on Neighbouring residential amenity

7.5.1 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*”.

- 7.5.2 Policies SP8 and GD1 of the Local Plan Partial Review (2024) are deemed to carry significant weight, this is because they generally reflect the good design principles outlined in the NPPF and National Design Guide, i.e., that these policies require developments do not adversely impact the amenities of neighbouring occupiers as a good design principle.
- 7.5.3 The main consideration will be the impact on the occupiers of Broomin Green Farm and Philbeck House, Maxwell Road and Nos.210, and 213 to 223 Fairview Road.
- 7.5.4 In terms of Broomin Green Farm, this property is approximately 90m to the west and separated by commercial yards, a vacant building and extensive landscaping. This neighbour would not have significant views of the development as it would be mostly screened by landscaping, although they would have views of the upper floors. However, this would be seen against the backdrop of the taller flats in Watson Road and Kilby Road. The proposed building is considered to be unlikely to have an unduly detrimental impact on their outlook or privacy, especially given the separation distance. Additionally, the western flank of the building contains a window serving a stairwell and a smaller, secondary window to a dining area of each flat and therefore the design and layout is unlikely to result in a level of harm to the privacy of this neighbour that would exceed acceptable limits. At 90m away, the separation is considered large enough such that the proposed development would not impact on their daylight or sunlight, especially as the majority would be screened by landscaping.
- 7.5.5 Philbeck House is located to the north-west of the site and is currently adjacent to a two-storey building on the application site. The south-east corner of their rear elevation is approximately 33m from the north-west corner of the closest party of the proposed building. This building would be demolished and replaced by open car parking. They will have an improved outlook through the removal of the building, but the introduction of car movements next to their rear garden that currently doesn't exist means they will have an increased exposure to noise and pollution (exhaust fumes) that could be detrimental unless mitigations are employed. Accordingly, additional landscaping and an acoustic fence is shown on the submitted plans to mitigate the aforementioned impacts to within acceptable levels. The building faces predominantly west, so whilst there would be a significant increase in the number of windows visible to this neighbour, they are not angled to be directly overlooking their private rear garden but would have an almost oblique view. Whilst it is acknowledged that there would be an increase in overlooking and a loss of privacy to some degree, the separation distance is such that these identified harms would be within acceptable limits and the additional landscaping would help mitigate some of the overlooking from lower floors. The siting of the proposed building in relation to this neighbour means that their views from their rear windows would remain unaffected and their view of the building would be at an oblique angle such that it would not appear overbearing.
- 7.5.6 With regards to No.210 Fairview Road to the north, this is the closest neighbour and therefore the one likely to be most impacted. However, they have no windows in their southern side elevation so no loss of outlook or privacy would occur to any habitable rooms within the dwelling. The building is sited such that it is unlikely that any windows would have a significant view of their garden. At ground floor there would be 1no. Solid door serving a plant room; at first, second and third floor there would be 1no. window serving the living/dining room which would be a secondary window. Additionally, each floor would have a small window serving the landing. The building is orientated such that the windows would not be directly overlooking the rear garden and would be more oriented towards the side of the dwelling. It is not considered that these windows would result in undue harm to the neighbouring privacy such that a refusal would be warranted on this basis alone, but it is considered reasonable to impose a condition that requires them to be obscurely glazed and fixed shut below 1.7m from floor level.

- 7.5.7 Turning to Nos.213 to 223 Fairview Road, these are located to the front (east) of the site and would have a front-to-front orientation with the development. There is no minimum separation distance for this type of orientation in the Local Plan or Design Guide. However, the 40m-45m distance as measured from the submitted site layout is considered acceptable. With the extensive mature landscaping between the site and the aforementioned properties, with a trafficked highway separating the application site and nos. 213 to 223, it is unlikely that a significant harm would occur to be able to warrant refusal. However, it is acknowledged that there is potential for some level harm from overlooking from the balconies of dwellings above the tree line. Notwithstanding, the overall impacts are considered to be within acceptable limits given the substantial separation distance and existing level of natural screening.
- 7.5.8 On this basis it is concluded the proposal would likely have an acceptable relationship with neighbouring residential dwellings.

7.6 Impact Upon Amenities of Future Residents

Private Amenity Space

- 7.6.1 In respect to private amenity space the Design Guide SPD (2025) requires that all dwellings, including flatted developments, should have private amenity space with an exception granted to flats in central locations where public open space is easily accessible. There is a requirement to provide 50sqm for the first 5 units and an additional 10sqm for every additional unit. Garage courts, parking areas and bin storage areas are not considered as part of the useable garden amenity requirements.
- 7.6.2 Accordingly, the development would need to provide 790sqm. The site layout has the main residents garden measuring more than 1,200sqm. Additionally, all flats have either a balcony or terrace. The communal garden is also of exceptional quality with a mini orchard, vegetable garden, sculpture, seating, large open lawn, communal terrace, and substantial soft landscaping.
- 7.6.3 Overall, therefore, the development would provide a significant improvement to the existing site and an exceptional quality of space for residents.

Internal Living Standards

- 7.6.4 Policies GD1 and SP8 of the Local Plan Partial Review (2024) relate to High Quality and Good Design. requires residential developments to comply with the government's nationally described space standard (NDSS), which is reproduced in the plan in appendix C. The proposal seeks to provide a variety of one-bedroom and two-bedroom dwellings.
- 7.6.5 The one-bed units would vary between 52sqm and 54sqm whilst the two-bedroom units would be 65sqm. The NDSS requires one-bedrooms to be at least 50sqm and two-bedrooms to be at least 61sqm. Double bedspaces need to be at least 11.5sqm and single bedspaces at least 7.5sqm. All units exceed these minimum requirements and will therefore provide an acceptable living accommodation.

Noise and Pollution

- 7.6.6 Policy FP7 of the Local Plan Partial Review (2024), states that developments should minimise, and where possible, reduce air, water, light and noise pollution. Policy FP8 stipulates that permission for pollution sensitive uses will be granted where they will not be subjected to unacceptably high levels of pollution exposure from either existing, or proposed, pollution generating uses.
- 7.6.7 The application is accompanied by a Noise Impact Assessment (NIA) and the Council's Environmental Health department initially raised concerns over commercial noise from the adjacent Maxwell Road and Cockerell Close sites. However, the Maxwell Road sites are now vacant, and the proposed occupier of the site has undertaken their own NIA and confirmed that their operation would not have any undue impacts on surrounding residential dwellings which Environmental health have reviewed and agreed. Further, the

Cockerell Close premises are a substantial distance from the site and are light industrial uses compatible with residential neighbours.

- 7.6.8 Accordingly, Environmental Health have confirmed that subject to an updated NIA being provided prior to occupation to ensure noise levels inside the dwellings are within acceptable limits, they do not object, nor raise any concerns over, the proposal in this regard.

7.7 Car Parking and Cycle Provision

- 7.7.1 Chapter 9. (Promoting Sustainable Transport) of the NPPF (2024) sets out a requirement to consider transport issues, which includes parking, at the earliest stages of a development proposal. Paragraph 116 of the NPPF (2024) states *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”*. Taking this into consideration, paragraph 117 of the NPPF (2024) stipulates that applications for development should:

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

- 7.7.2 Policy IT5 of the Local Plan Partial Review (2024), which carries significant weight, requires development proposals to comply with the parking standards set out in the Stevenage Borough Council Parking Provision SPD (2025). Policy SP6, Sustainable Transport, has been significantly updated. This policy requires, amongst other things, for developments to demonstrate they are in a sustainable location and will promote active travel by non-car modes of transport by providing appropriate cycle parking and prioritise public transport.

- 7.7.3 The Council's Parking Provision SPD (2025) requires the proposed development, as assisted living accommodation with wardens on site, to provide 1 space per unit, which would equate to 79 spaces.

- 7.7.4 However, as the site is located within Residential Accessibility Zone 2 in the SPD, a provision of between 50% and 75% of the maximum parking is allowed:

- 50% provision = 39.5 spaces, rounded to 40 spaces
- 75% provision = 59.25 spaces, rounded to 60 spaces.

- 7.7.5 Additionally, the SPD now requires that all new parking spaces must meet the design standards in Herts County Council's "Place and Movement Planning and Design Guidance for Hertfordshire (2024)". The current design standards in the aforementioned guidance are 5m long and 2.5m.

- 7.7.6 The submitted plans identify that only 25 parking spaces are to be provided which is a significant under provision when taking account of a 50% reduction as set out in 7.7.4 above. Accordingly, a planning balance must be undertaken to weigh this policy contravention against the public benefits. This will be undertaken at the end of this chapter of the report.

Visitor Parking

- 7.7.7 The Parking Provision SPD requires visitor spaces to be provided at a standard of 0.25 spaces per dwelling. If parking is to be allocated then these spaces will be required in addition to the parking spaces; where a significant portion of parking is unallocated, additional visitor spaces would preferably not be provided.
- 7.7.8 On the basis of 79 dwellings, there would be a requirement for 19.75, rounded up to 20 spaces. The parking spaces shown on the submitted plans are not allocated and therefore the visitor spaces can be included in the overall provision and there is no requirement to provide additional visitor spaces.

Disabled Parking Spaces

- 7.7.9 The Parking Provision SPD (2025) states that for residential developments, there is a requirement for 1 space per wheelchair user dwelling and no requirement for additional enlarged spaces.
- 7.7.10 Under the Building Regulations Approved Document M, a wheelchair user dwelling is one that falls under category M4(3). None of the proposed units have been designated under this standard and as such there is no requirement to provide any disabled parking spaces. Notwithstanding this, the developer has chosen to provide 3no. disabled spaces which is therefore considered acceptable and an additional benefit of the development.

Mobility Scooter Storage

- 7.7.11 The Parking Provision SPD (2025) states that consideration must be given to the storage of mobility scooters, especially when dealing with schemes for elderly persons accommodations; the required spaces will be assessed on a site-by-site basis.
- 7.7.12 The submitted plans show that a dedicated mobility scooter secure storage area will be provided on the ground floor that can accommodate at least 15 scooters. Given that each flat is also designed to meet the Building Regulations Part M4(2) (accessible and adaptable dwellings) as a minimum, it is considered that there is sufficient space within the individual flats, or the dedicated storage area to be able to securely store wheelchairs and mobility scooters.

Cycle Storage

- 7.7.13 The Parking Provision SPD requires 1 long term space per bedroom and 1 short term space per 40 units. With 68no. one-beds and 11no. two-beds, this would equate to 90 bedrooms on site and therefore a requirement for 90 long term spaces and 2 short term spaces. The accessibility zone reductions do not apply to cycle storage.
- 7.7.14 The originally submitted plans only provide 20 spaces overall, and these were open Sheffield stands with no enclosures or security. Following discussions with the developer, amended plans were provided that increased the number of spaces to 66 spaces. It was agreed that, given the nature of the development for older persons, the cycle parking and mobility scooter storage could be taken together which would provide 81 spaces in total. It is noted that this is still 9 spaces short of the 90 required but this is based on an error in calculation whereby units instead of bedrooms has been used in advice provided to the developer by the Council.
- 7.7.15 Given the nature of the development, for older persons and more usually, elderly persons with mobility issues, it is unlikely that many residents would have a requirement for a bicycle, instead preferring to use local bus services where access to a car is not available. Accordingly, the deficit of 9 spaces is not considered to be unduly significant from a planning perspective in this instance, especially as the site is deemed to be in a highly sustainable location.

- 7.7.16 Further, the committee should note that a specialised condition has been agreed with the developer in relation to cycle parking for this specific development that takes account of the fact that bicycles are not necessarily a choice of transport for the type of tenants in these developments. It has been agreed that only 50% of the cycle storage needs to be installed prior to the first occupation of the development. The developer will then undertake surveys in the following 12 months as to whether there is a need for additional storage, or if the installed storage is not being used. If there is a need, then they will seek to install another 25% and then the remaining 25% after 24 months from occupation. If there is no additional need then the developer has the option to negotiate the wording of the condition and amend it accordingly. It is understood that non-car modes of transport are essential in order to help tackle climate change. However, it is important to note that this development is under-delivering with regards to car parking provision. In addition, it has to be taken into account that this development is for assisted living for the elderly and infirm and so is unlikely to generate a need for policy compliant cycle storage.

Highway Safety

- 7.7.17 The application site occupies a substantial corner plot on Fairview Road and Fairlands Way, and whilst it is a privately owned site, the existing vehicular highway and associated footpath within the site is maintainable by Herts County Council as Highways Authority (HA).
- 7.7.18 The developer has stated in their Transport Statement (TS) that in order to undertake the proposed re-development of the site, they will require the highway status to be removed from the vehicular highway and its associated footpath. The HA has raised no concerns or objections to this. This would be dealt with by the developer and the HA under the relevant powers through the Highways Act and is not a material planning consideration.
- 7.7.19 The accompanying Transport Statement (TS) confirms that there have been no vehicle collisions within 3 years in the vicinity of the site. The HA have not refuted this evidence.
- 7.7.20 The TS, using TRICS (Trip Rate Information Computer System) data, confirms that the net increase of 46 units on site could generate an additional 6 two-way movements in AM peak hours, additional 5 two-way movements during PM peak hours, and an additional 75 two-movements off peak, which is a modest increase in movements that would not have a significant impact on the highway network. The HA have reviewed the TS and raised no concerns or objections in this regard.
- 7.7.21 The HA state in their 9th July 2025 comments that whilst the submitted plans show connections to the Fairview Road footpaths, there is no connection to the footpaths in Maxwell Road and as such fails to accord with HCC's Local Transport Plan 4. Whilst this is noted, such proposal is refuted in terms of its need to make the development acceptable in planning terms. The site links to the shared cycle/pedestrian network on Fairview Road immediately at the site access point. This in turn links to the shared network on Fairlands Way just 70m to the south, and which then joins to the Gunnels Wood Road network to the west in under 200m. As such, the requirement that the site provides a new access point on Maxwell Road, through the commercial site, and joining to the Gunnels Wood Road network is unnecessary and unreasonable.
- 7.7.22 The HA stipulate in their comments on the application that there are no pedestrian crossings on Fairview Road linking the existing bus stops. Given this, they will require financial contributions to install such crossings, upgrade the existing bus stops and make general improvements to sustainable transport offerings. This was refuted by officers on the basis that financial contributions have already been secured and allocated for such works via the Costco development. Therefore, they would in effect be double counting in relation to financial obligations which are not lawful under Reg 122 of the CIL Regulations.
- 7.7.23 Following discussions the HA, they confirmed on 28th July 2025 that they would no longer be seeking any financial contributions from the developer.

- 7.7.24 Additionally, they confirmed that they had no objections or concerns to raise regarding the development subject to the imposition of conditions to secure a Construction Management Plan to control the construction phase of development, that parking and access on the submitted plans is made ready prior to occupation, and that the applicant obtains a Stopping Up Order of the highway status prior to commencement of development. They also require an informative to be placed on any grant of permission to remind the developer that all roads and footpaths within the redeveloped site shall remain privately maintainable by the owner of the site at all times.
- 7.7.25 Subject to the imposition of suitable conditions, it is considered that the proposal is therefore acceptable in highway safety terms.
- 7.7.26 In summary, the proposal has been demonstrated to be within a highly sustainable location, being within a 15-minute walk of many shops, restaurants, community facilities and GP surgeries. Additionally, there are bus services running along Fairview Road, Fairland Way, and Gunnels Wood Road with Hertfordshire County Council having s.106 contributions allocated for the upgrading and improving of these bus services. There are bus stops located within metres of the site entrance and a cycle/pedestrian network immediately bounding the site.
- 7.7.27 The site will be providing policy compliant level of affordable housing in the form of social rent to people on the local housing register which is a significant public benefit; additionally, due to the failure of the housing delivery targets, the Council is subject to paragraph 11(d) where provision of housing in sustainable locations is given significant weight. When taking account of the under provision of car parking and cycle storage against the identified public benefits, it is not considered that any harms arising from such policy contraventions would outweigh the significant public benefits.

7.8 Impact on the Environment

- 7.8.1 The application site is a residential development and prior to the original development, the site was part of open fields. Therefore, there would be very low risk of contamination.
- 7.8.2 Following consultation with the Council's Environmental Health section, they have raised no concerns from a land contamination perspective subject to the imposition of conditions. The conditions imposed would require a remediation strategy to be submitted for approval in the event that contamination is identified during the construction phase of development.

Groundwater

- 7.8.3 The application site is located within Source Protection Zone 1 and it should be noted that Affinity Water have objected to the application on the basis that they require further information to ensure the redevelopment will not impact water supplies. They have requested:
1. Intrusive ground investigations to identify the condition of the land;
 2. A risk assessment to identify the aquifer and abstraction points
 3. Details of foundations
- 7.8.4 Groundwater in an SPZ1 is the most vulnerable to pollution due to its proximity to the abstraction point and intended use for human consumption.
- 7.8.5 Thames Water have also assessed the application and raised no objections subject to a condition for foundation details and Environmental Health have raised no objections subject to further risk assessments. Give that these statutory consultees have no concerns subject to the requested information being provided prior to commencement, it is considered reasonable to condition all the requirements and proceed despite the Affinity Water objection as this can be adequately addressed via condition.

Air Quality

- 7.8.6 Policy FP7 of the adopted Local Plan (2019) states that all development proposals should minimise, and where possible, reduce air, water, light and noise pollution. Looking at air quality and air pollution specifically, The Air Quality Annual Status Report (ASR) 2021 by Stevenage Borough Council identifies that the development site is not located within, or near, an Air Quality Management Area (AQMA).
- 7.8.7 In order to mitigate the construction phase, it is recommended a condition for a Construction Management Plan (CMP) is imposed on any permission issued. This condition would require the applicant to adhere to the CMP which details measures on controlling levels of dust and air pollutions which are generated during the construction phase of development.
- 7.8.8 With regards to the operational aspect of the development, due to its limited scale, the proposed development would give rise to a very small increase in NO₂ emissions which, in accordance with IAQM/EPUK guidance, is identified as having a negligible impact at all receptors in the area. As such, the need for additional mitigation has not been identified as being required. As such, the Council's Environmental Health Section has not raised any concerns with respect to the operational impact the development would have on air quality.

Noise Pollution

- 7.8.9 With respect to noise, Policy FP8: Pollution Sensitive Uses stipulates that planning permission for pollution sensitive uses will be granted where they will not be subjected to unacceptably high levels of pollution exposure from either existing, or proposed pollution generating uses.
- 7.8.10 Dealing firstly with the impact of noise from the construction phase of the development, detailed measures will be required in the CMP. Through the CMP the hours in which noisy activities take place are to be controlled along with the imposition of relevant mitigation measures being put in place to minimise the impact of noise from construction activities. Moreover, if a breach were to take place, the Council can enforce the condition accordingly. Consequently, the imposition of such a condition is supported by the Council's Environmental Health Section.
- 7.8.11 With regards to noise which could arise during the operational phase of development, if any complaints arose regarding future occupiers, these would be dealt with by the Borough Council's Environmental Health department.
- 7.8.12 Turning to noise impacts on future occupiers, this was addressed in sections 7.6.7 and 7.6.8 of this report whereby it was established that the Noise Impact Assessment concluded that occupiers would not be unduly harmed by surrounding commercial activities and, subject to suitable mitigation measures in the glazing and ventilation, occupiers should have a good level of internal living accommodation. A condition will be imposed on any grant of permission to ensure that noise levels adhere to the relevant standards as below:
- 35 decibels (dB) (LA_{eq},16h) during the daytime (07:00 – 23:00) within bedrooms and living rooms;
 - 30dB (LA_{eq},16h) during the night (23:00 – 07:00) within bedrooms;
 - 45 dB (LAF_{max}) on more than ten occasions during any typical night (23:00 – 07:00) within bedrooms

Light Pollution

- 7.8.13 In terms of light pollution, Policy FP7: Pollution of the adopted Local Plan (2019) requires all development proposals should minimise, where possible, light pollution. Applications for development where pollution is suspected must contain sufficient information for the application to make a full assessment on impacts. Planning permission will be granted

where it can be demonstrated that the development will not have unacceptable impacts on:

- a) the natural environment, general amenity and the tranquillity of the wider area which includes light pollution;
- b) health and safety of the public; and
- c) The compliance with statutory environmental quality standards.

7.8.14 Turning to the operational side of the development, the development would be set back from the main highways and therefore any external lighting is not considered to prejudice highway safety or cause a substantive nuisance to neighbouring residential properties. The Highways Authority have raised no objections; however, Environmental Health have raised the concern that whilst the external lighting strategy for the site is acceptable, it does not include details of possible light spillage outside the site boundary to neighbouring properties. They have requested a condition for the submission of these details.

7.8.15 In terms of lighting associated with the construction aspect of the proposed development, this is dealt with as part of a Construction Management Plan.

7.9 Development and Flood Risk

7.9.1 In the emerging Local Plan Partial Review and update (2024), flood risk and drainage policies are significantly revised. The existing policy FP1 is replaced by a new sustainable drainage policy, which places an emphasis on the use of the most sustainable SuDS features and methods of surface water discharge and now requires all major and minor applications to incorporate SuDS unless there are clear and convincing reasons for not doing so. Meanwhile, existing policies FP2 and FP3 are combined into a new, more comprehensive flood risk policy, which largely reflects national flood risk policies but also seeks to protect watercourses and flood defences. Policy SP11 encourages direction of development to low-risk areas, where possible to utilise SuDS features, and to overall protect watercourses and ensure developments do not result in acceptable harm to human health or the natural environment as a result of pollution.

7.9.2 The application site is located within Flood Zone 1 within the Environment Agency's flood risk map. Flood Zone 1 is defined as land having less than 1 in 1000 annual probability of flooding and is the lowest risk. Therefore, all developments are generally directed to Flood Zone 1.

7.9.3 The application is accompanied by a Flood Risk Assessment (FRA) and drainage strategy which has been assessed by Herts County as the Lead Local Flood Authority (LLFA) and they have raised no concerns or objections subject to the imposition of conditions which will be discussed in more detail below.

7.9.4 The FRA confirms that CCTV surveys were undertaken on the site in February 2025 that identified the presence of separate surface and foul water networks serving the existing site and, further, that there are private drain connections for both into the Thames Water sewers that also run through the site.

7.9.5 The site FRA sets out that the site has no risk of surface water flooding in either the 1 in 30-year or 1 in 100-year events but shows a very small area of surface water flooding in the 1 in 1000-year event as per the Environment Agency's online mapping service. The depth of the flooding in the 1 in 1000-year event would likely be less than 20cm.

7.9.6 The proposed drainage strategy states that surface water run-off will be controlled via a flow control chamber where flows are then directed into the existing surface water network. Through pre-application consultation between Thames Water, the LLFA and the drainage consultant, Thames Water confirmed to the drainage consultant that there was sufficient capacity in the system for this to occur provided that water discharge is limited to a maximum flow rate of 2.0 litres/second and the LLFA confirmed the flow rate was acceptable.

- 7.9.7 The drainage strategy also includes an attenuation tank in the northern part of the site to provide storage of surface water prior to discharge into the Thames system. Additionally, green roofs and rain gardens will be included.
- 7.9.8 As part of this application, Thames Water and the LLFA were consulted and neither raised any concerns or objections subject to the imposition of suitably worded conditions to which the developer has seen and agreed to.

7.10 Trees and Landscaping

- 7.10.1 Policy NH5 of the adopted 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 emerging Local Plan Partial Review and update (2024), policy NH5 is replaced by two new policies: Policy NH5a, which relates to trees and woodland; and Policy NH5b, which relates to tree-lined streets. Policy NH5a continues to provide a general presumption against the loss of healthy trees.
- 7.10.2 The submitted Arboricultural Impact Assessment (AIA) confirms that a Black Poplar, Leyland Cypress hedge and laurel hedge on the western side of the site will be removed. However, to mitigate the loss of trees and hedges, at least 29 new trees will be planted on site as part of the extensive landscaping strategy and biodiversity improvements. No other trees or hedges within or bordering the site will be removed.
- 7.10.3 The AIA goes on to recommend that some pruning works are likely to be required to the Council owned trees outside the boundary of the site to the east and south. The works are necessary to ensure a good level of clearance between the trees and construction works, and to ensure a good level of clearance between the trees and the completed building. The Council's Arboricultural Manager agrees with this assessment but has requested that the works are carried out by the developer prior to commencement with no cost to the Council.
- 7.10.4 Generally, the imposition of a condition requiring works on land outside of the developer's control are not recommended. They are known as Grampian Conditions. However, where the works are reasonable and necessary to ensure a development can proceed, and where they offer a suitable alternative to a planning obligation in a legal agreement, they are acceptable to ensure the development is deemed acceptable in planning terms.
- 7.10.5 In this instance, the pruning of trees to ensure they are protected long term from both construction works, and the complete building, is considered reasonable and would not be too onerous on the developer to complete prior to commencement. To secure the works via a planning obligation is unnecessary as the works are fairly minor in nature.
- 7.10.6 Conditions can also be secured for tree protection measures to ensure all retained trees and all trees along the boundary of the site are suitably protected.
- 7.10.7 The application was accompanied by a detailed landscaping plan that was reviewed by the Council's Green Spaces department. They made some recommendations on planting suggestions, and a revised scheme was submitted. At the time of writing no further comments have been received but given the detailed landscaping falls to be assessed as part of the Biodiversity Net Gain on the site, any further comments can be addressed at that time but given the developer made all the amendments recommended, it is considered that the submitted scheme is acceptable and can be condition as such.

7.11 Biodiversity, Ecology and Protected Species

- 7.11.1 Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 sets out that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the 'biodiversity gain condition' requiring development to achieve a net gain of 10% of biodiversity value. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not apply in some circumstances.

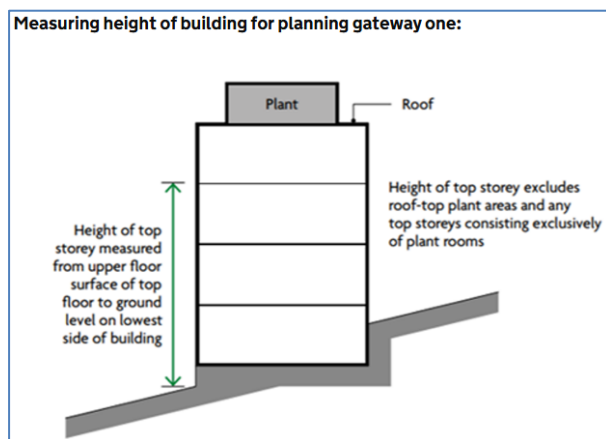
- 7.11.2 Applicants for planning permission are required to make a statement as to whether the biodiversity gain condition will apply if permission is granted, and, if it does not apply, under which exemption they are applying. In this instance, the site has no exemptions, and a 10% net gain is required.
- 7.11.3 The application is accompanied by detailed landscaping plans and a Biodiversity Net Gain (BNG) Assessment, a Preliminary Ecological Appraisal (PEA) and a Preliminary Roost Assessment (PRA).
- 7.11.4 The BNG assessment states that there will be a 24.85% gain on site with trading rules satisfied. The mandatory requirement is 10% and therefore the development is acceptable in this regard. With regards to hedgerows, there would additionally be a net gain of 166.43% with trading rules satisfied which is a substantial benefit to the development.
- 7.11.5 The BNG comes from the inclusion of modified grassland, an orchard, vegetable gardens (allotments), ornamental hedgerows, a rain garden, and additional trees. The Council's Green Spaces department and Ecology Officer have reviewed the documentation and praised the developer for providing a substantial improvement to the site and welcomed the proposals.
- 7.11.6 The site is located in an urban setting and is bordered by residential properties, pedestrian and vehicle highways and the Gunnels Wood Employment Area. The wider environment is urban in nature. The application is accompanied by an Ecological Appraisal and Roost Appraisal to assess the potential for the site and adjoining habitats to have species that receive legal protection at either UK and/or European level. The survey comprised a desk top study from Hertfordshire Environmental Records Centre as well as habitat surveys on site.
- 7.11.7 The Ecological Appraisal identifies that there are no impacts on any designated sites expected as a result of construction or use of the development. In addition, no habitats of conservation interest were present on site. The majority of the site is not considered to have any potential for protected species in its current condition. The Roost Appraisal confirms none of the trees on site have bat roost potential although any external lighting should be directed away from retained trees to minimise any potential impacts on foraging or commuting bats.
- 7.11.8 Additionally, in the interests of ecology, it is recommended to impose a condition requiring the developer to install integrated swift boxes. It is noted that a commentator on the application requested a condition for 20 boxes, however, there are no Local Plan policies in this regard and no definitive rules or guidance in the NPPF or planning practice guidance that sets out a specific number of boxes or formula for calculating the number. As such, in this regard it is for the developer to provide details of how many they wish to install, and where, and the Council will assess the details as part of a discharge of condition application.

7.12 Tall Buildings and Fire Safety

- 7.12.1 Following the Grenfell Tower fire in June 2017, the Government commissioned an Independent Review of Building Regulations and Fire Safety. Following this, the Government introduced Planning Gateway One (introduced under the Town and Country Planning (Development Management Procedure and Section 62A Applications) (England) (Amendment) Order 2021) which has two key elements:
- The submission of a fire statement for relevant planning applications to set out fire safety considerations specific to the development; and

- To establish the Health and Safety Executive (HSE) as a statutory consultee for relevant planning applications.

7.12.2 Relevant buildings are those set out in Planning Practice Guidance Paragraph: 004 Reference ID: 71-004-20210624 and are described as containing two or more dwellings or educational developments within a building 18m tall or higher, or 7 storeys or more. The height is measured from the lowest point at ground level to the floor of the uppermost storey and excludes any storey that is roof-top machinery or plant area or consists exclusively of rooms for plant and machinery. The diagram below shows this in practice for clarity.



7.12.3 Accordingly, whilst this application includes the required fire statement, and the Health and Safety Executive (HSE) were consulted, they confirmed that there was no requirement to consult them as the floor level of the uppermost floor would be 15.96m above lowest ground level and is therefore exempt from Planning Gateway One.

7.12.4 The fire safety of the building and its future occupants will therefore fall to be assessed under the Building Regulations in conjunction with Herts Fire and Rescue Service should the application be granted planning permission.

7.13 Other Matters

Sustainable construction and climate change

7.13.1 Under the Local Plan Partial Review, Policy FP1 has been revised to cover sustainable drainage and Policy SP1: climate change, is the new relevant policy in this regard. The fundamental objective of Policy SP1 remains the same as previous policy FP1, however, it sets out in more detail the objectives to adapting to climate change. This policy requires, amongst other things off-setting of emissions targets if not met on site, water usage targets, rainwater harvesting, grey water recycling, use of sustainable materials and practices on site, ultra-low and zero carbon combined heat and power systems and urban greening (green roofs and walls). This policy is further supported by a suite of new climate change policies, CC1 through CC7 which cover a broad range of topics. However, it should be noted that Policies CC1 and CC2 require only major planning applications to provide an energy statement.

7.13.2 The application is accompanied by a Design and Access Statement and Energy and Sustainability Statement which detail a number of mitigation and adaptation measures to be incorporated into the proposed scheme. The development has been developed in line with Passivhaus principles, which is exemplary in terms of energy efficiency and minimizing operation carbon.

7.13.3 The proposed energy strategy has been tested by energy modelling using Passivhaus PHPP (Passivhaus Planning Package) which is a rigorous energy efficiency standard for buildings that aims to minimize heating and cooling needs and achieves this through a combination of very high insulation, airtight construction, efficient ventilation with heat recovery, and optimized solar gain. The Passivhaus standard is designed to reduce

energy consumption significantly while also ensuring a comfortable and healthy living environment. By drastically reducing energy consumption, Passivhaus buildings contribute to lowering greenhouse gas emissions and combating climate change.

- 7.13.4 The rigorous Passivhaus principles proposed result in the development comprising a very low energy demand, which complies with and exceeds the requirements of the Council's sustainability policies FP1, FP2, FP7 and emerging draft policies CC1, CC2 and CC3. and the measures can be secured via the imposition of a suitably worded condition.

Waste and Recycling

- 7.13.5 The Design Guide (2025) states that provision should be made within new developments for the storage and collection of waste from a site.

- 7.13.6 Following an assessment of the initial plans which were submitted as part of the original application, the bin stores, the Council's Head of Environmental Operations (HEO) for Stevenage Direct Services raised concerns that the provisions shown on the plans would fail to meet required standards and were unacceptable.

- 7.13.7 The HEO went on to confirm the Council's standards per dwelling as set out below and that new Government Legislation "Simpler Recycling" is pushing for increased recycling rates:

- General waste – 90lt
- Paper/card – 30lt
- Plastics/cans – 30lt
- Glass – 12.5lt
- Food – 23lt

- 7.13.8 On the basis of the above, a 79 dwelling development would need to provide 32no. 360lt dry recycling, 7no. 240lt food waste, 7no. 1100lt general waste. The submitted plans show that the revised bin store can adequately accommodate this number of bins and, being at the site access point, is well within the 30m drag distance for operatives. This can be secured via condition.

Community Infrastructure Levy

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

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

- 7.13.10 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.

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

7.14 Equality, Diversity and Human Rights

- 7.14.1 Consideration has been given to Articles 1 and 8 of the First Protocol of the European Convention on Human Rights. It is not considered that the decision would result in a violation of any person's rights under the Convention.
- 7.14.2 When considering proposals placed before Members it is important that they are fully aware of and have themselves rigorously considered the equalities implications of the decision that they are taking.
- 7.14.3 Rigorous consideration will ensure that proper appreciation of any potential impact of that decision on the Council's obligations under the Public Sector Equalities Duty. As a minimum this requires decision makers to read and carefully consider the content of any Equalities Impact Assessment (EqIA) produced by officers.
- 7.14.4 The Equalities Act 2010 requires the Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share protected characteristics under the Equality Act and persons who do not share it. The protected characteristics under the Equality Act are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; sex and sexual orientation.
- 7.14.5 In terms of inclusive access, the scheme has been designed to be DDA (Disability Discrimination Act) compliant. In addition, in accordance with Policy HO11: Accessible and Adaptable Housing of the adopted Local Plan (2019), as this is a major scheme at least 50% of all new dwellings will need to be category 2: accessible and adaptable dwellings. As the development is providing assisted living for older persons, 100% of the development will meet this standard as a minimum. Additionally, the building will have level access throughout and lifts to all floors with a secured storage area for powered mobility scooters.
- 7.14.6 The scheme also seeks to deliver the necessary disabled parking provision in accordance with the Council's adopted Parking Standards SPD (2025). The bays will meet the relevant size standards and have been located in an appropriate location in close proximity to the entrance of the main residential building.

8. CONCLUSIONS

- 8.1 The proposed development would involve the provision of housing and the council's latest Housing Delivery Test result indicates that housing delivery was substantially below the housing requirement over the last three years. Therefore, the policies most important for determining the application are considered to be out-of-date and paragraph 11(d) of the NPPF is engaged.
- 8.2 It has been established that the proposed development accords with Policy HO5 as it would be located on land which meets the definition of previously developed land as stated within the NPPF (2024), which places substantial weight on reusing brownfield sites. Given this proposal is reusing a brownfield site, this weighs significantly in favour of the proposal.

- 8.3 The development would provide 79 dwellings, for independent (assisted) living of older persons, making a strong contribution to the aim of boosting housing supply, which in this instance, would be through redeveloping a sustainable brownfield site to deliver this much needed type of residential dwelling. Further, the proposal would deliver all units as affordable housing which exceeds the requirements of Policy HO8 and attracts significant weight in favour of the development. This is due to the under-delivery of affordable housing to date over the Local Plan period.
- 8.4 There would be some economic benefit during the construction phase, and future occupiers would be likely to contribute to local services and facilities. Given the quantum of development, it is considered that these benefits would be significant and therefore attracts significant weight in favour of the proposal.
- 8.5 The proposal would incorporate a number of measures to be adaptable to, and mitigate, climate change and would result in a sustainable built form. This attracts moderate weight in favour of the proposal.
- 8.6 The proposed development would have an acceptable impact on the amenities of neighbouring occupiers, and the collection of waste and recycling is acceptable; these are neutral matters.
- 8.7 The development has been assessed to be acceptable in appearance and would not harm the visual amenities of the area. The development has been assessed to be acceptable in terms of private amenity space in accordance with the adopted Design Guide (2025) and Policy GD1 of the Local Plan (2019). This carries moderate weight in favour of the development.
- 8.8 With regards to the environmental impact of the development in terms of ecology, biodiversity and landscaping, it has been established that there would be significant uplift and improvements to landscaping and biodiversity and is therefore acceptable in this regard.
- 8.9 The car parking and cycle parking fail to meet the standards as set out in the Parking Provision SPD (2025) and is therefore contrary to Policy IT5 of the Local Plan. However, the Highways Authority have raised no concerns with highway safety. This carries moderate weight against the proposal.
- 8.10 The provision of affordable housing and other developer contributions can be satisfactorily addressed through the use of a S106 Legal Agreement.
- 8.11 In conclusion, whilst the proposal has been assessed to contravene policy IT5 of the Local Plan (2019) through under provision of car parking and cycle parking, it is considered that the public benefits identified through the delivery of much needed independent living apartments and affordable housing, on previously developed brownfield land, outweigh the harms identified. Therefore, despite the conflicts with the aforementioned Local Plan Policies, there are sufficient material considerations to indicate that planning permission should be granted in this instance.

9. RECOMMENDATIONS

- 9.1 That planning permission be GRANTED subject to the applicant having first entered into a S106 legal agreement to secure/provide contributions towards:-
- Securing the provision of affordable housing;
 - Apprenticeships and construction jobs; and
 - SBC Section 106 monitoring fee – 5% of total financial obligations (capped at £50,000.00);

- 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, 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 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:

SUBJECT TO THE FOLLOWING CONDITIONS/REASONS

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
2064-SBA -XX-00-DR-A-504-G; 2064-SBA -XX-00-DR-A-010-Q; 2064-SBA-XX -01-DR-A-011-Q; 2064-SBA-XX-00 -DR-A-505-A; 2064-SBA-XX-00-DR-A-506-A; 1852-PWL-ZZ-XX-DR-L-1001-PO9; BXMW-BLOX-A-41-OF-FSC-BLOX-A; 1852-PWL-ZZ-XX-DR-L-1002-P02; 2064-SBA-XX-00-DR-A-501-A; 2064-SBA-XX-00-DR-A-502; 2064-SBA-XX-00-DR-A-503-A; 2064-SBA-XX-02-DR-A-012-N; 2064-SBA-XX-03-DR-A-013-N; 2064-SBA-XX-04-DR-A-014-L; 2064-SBA-XX-05-DR-A-015-L; 2064-SBA-XX-06-DR-A-016-K; 2064-SBA-XX-ZZ-DR-A-050-H; 2064-SBA-XX-ZZ-DR-A-530; 2064-SBA-XX-ZZ-DR-A-531; 2064-SBA-XX-ZZ-DR-A-520-E; 2064-SBA-XX-ZZ-DR-A-521-E; 2064-SBA-XX-ZZ-DR-A-522-E; 2064-SBA-XX-ZZ-DR-A-523-F; 2064-SBA-XX-ZZ-DR-A-524-F; 241117-CPW-XX-00-DR-E-307002-S3-P02;
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, that is audible at the site boundary, 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.
REASON:- To safeguard the amenities of the occupiers of neighbouring properties.
- 4 In the event that any previously unidentified ground contamination is discovered on the site, no further construction work may be carried out in the affected area until a remediation strategy has been submitted to and approved in writing by the local planning authority. Where any development to which this permission relates is required to be carried out in accordance with a remediation strategy, a verification report (setting out the remedial measures actually undertaken on the site) shall be submitted to and approved in writing by the local planning authority prior to the beneficial occupation of the development.
REASON:- To prevent harm to human health and pollution of the water environment
- 5 The development hereby approved shall be constructed in accordance with the measures to address adaptation and mitigation to climate change as laid out in the Energy & Sustainability Statement and Section 6.13 of the Design and Access Statement. These measures shall then be implemented and permanently maintained in accordance with the approved details.
REASON:- To ensure the development is adaptable to climate change through provision of energy and water efficiency measures.

- 6 No development shall take place (including demolition and site clearance) until a construction management plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved plan. The construction management plan shall include details of the following:
- a) Construction vehicle numbers, type, routing.
 - b) Access arrangements to the site.
 - c) Measures to minimise dust, noise machinery and traffic noise impacts during construction.
 - d) Screening and hoarding details to protect neighbouring residents.
 - e) Traffic management requirements, including the location of routes to and from the site, details of their signing monitoring and enforcement measures.
 - f) Construction and storage compounds (including areas designated for car parking, loading /unloading and turning areas);
 - g) Siting and details of wheel washing facilities.
 - h) Cleaning of site entrances, site tracks and the adjacent public highway including end of day tidying procedures to ensure protection of the site out the hours of construction.
 - i) Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times.
 - j) Provision of sufficient on-site parking prior to commencement of construction activities.
 - k) Post construction restoration/reinstatement of the working areas and temporary access to the public highway.
 - l) 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.

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 groundworks and construction phases of development and to recycle all waste materials where possible.

- 7 No development shall take place (including site clearance) until a final detailed design for the drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall incorporate infiltration testing to confirm whether infiltration is viable on site and shall ensure that all new dwellings have a finished floor level raised a minimum of 300mm above any flood level and 150mm above the surrounding proposed ground level. The approved drainage scheme shall be implemented in full prior to the beneficial occupation of the development to which this permission relates and shall be permanently retained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

REASON:- To adhere to the hierarchy of drainage options, as set out in paragraph 080 (Reference ID: 7-080-20150323) of the Planning Practice Guidance; to maximise the use of SuDS in the interests of mitigating the risk of flooding to the site itself and downstream; and to maximise the sustainability of the development.

- 8 No development shall take place (including site clearance) until a detailed construction phase surface water management plan for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be carried out in accordance with the approved details.

REASON:- To ensure that the construction of the site does not result in any flooding both on and off site and that all Surface water Drainage features are adequately protected.

- 9 Prior to the commencement of the development, the results of a phase 2 site investigation with details of any necessary remediation strategy and 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 water assets, the local topography and clearance between the face of the pile to the face of any pipe has been submitted to and approved in writing by the local planning authority. The development shall then be carried out in accordance with the approved details.

REASON:- To protect any underground utility infrastructure.

- 10 No development shall take place (including demolition and site clearance) until a Site Waste Management Plan (SWMP) for the site has been submitted to the Local Planning Authority and approved in consultation with the Waste Planning Authority. The SWMP should aim to reduce the amount of waste produced on site and should contain information including estimated types and quantities of waste to arise from construction and waste management actions for each waste type. The development shall be carried out in accordance with the approved SWMP.

REASON:- To promote the sustainable management of waste arisings and contribution towards resource efficiency, in accordance with Policy 12 of the Hertfordshire Waste Core Strategy and Development Management Policies Development Plan Document (2012).

- 11 No development shall take place (including site clearance) until the tree protection measures as detailed in the Arboricultural Impact Assessment dated 28th May 2025, Reference TH4575B by Trevor Heaps Arboricultural Consultancy Ltd have been implemented accordingly. The tree protection measures shall remain in place until the development has been completed. Within the tree protection areas to be fenced off in accordance with the AIA there shall be no alteration to the ground level and they shall be kept clear of vehicles, materials, surplus soil, temporary buildings, plant and machinery. Any trees identified as part of Condition 9 shall not be covered by this condition.

REASON:- To ensure the protection of those trees which should be retained in the interests of visual amenity.

- 12 The Biodiversity Gain Plan shall be prepared in accordance with the Biodiversity Net Gain Assessment dated 6th June 2025 and prepared by ACP Consultants Ltd.

REASON:- To ensure the development delivers a biodiversity net gain on site.

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

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

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

REASON:- To ensure the development delivers a biodiversity net gain on site.

- 14 Notice in writing shall be given to the Council when the:

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

REASON:- To ensure the development delivers a biodiversity net gain on site.

- 15 No development shall take place above slab level until a specification of the materials to be used in the construction of the external surfaces development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
REASON:- To ensure the development has an acceptable appearance and to protect the visual amenities of the area.
- 16 No development shall take place above slab level until a scheme for the provision of adequate water supplies and fire hydrants, necessary for firefighting purposes at the site, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the scheme has been implemented in accordance with the approved details.
REASON:- To ensure adequate water infrastructure provision is made on site for the local fire service to discharge its statutory firefighting duties
- 17 No development shall take place above slab level until the identified works to Council owned trees on the southern and eastern boundary of the site within the Arboricultural Impact Assessment dated 28th May 2025, Reference TH4575B by Trevor Heaps Arboricultural Consultancy Ltd have been completed.
REASON:- To ensure the protection of those trees which should be retained in the interests of visual amenity.
- 18 No development shall take place above slab level until details of integrated swift boxes are submitted to and approved in writing by the local planning authority. These features must be integrated into the brickwork of the development and located in the most appropriate locations to ensure occupation. They shall be fully installed prior to occupation and retained as such thereafter.
REASON:- To conserve and enhance biodiversity in accordance with NPPF.
- 19 The parking, turning and servicing areas shown on drawing number 2064-SBA -XX -00 -DR-A -505-A, shall be provided, marked out and hard surfaced ready for use prior to the first occupation of the building and shall be retained in that form and kept available for those purposes thereafter. The hardstanding areas shall be made of a porous material, or provision shall be made to direct surface water run-off water from the hardstanding to a permeable or porous area or surface within the curtilage of the building.
REASON:- To ensure that adequate parking and servicing facilities are available within the site and that there is no detriment to the safety of adjoining highways and to ensure the development is sustainable and accords with the aspirations of Class F, Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015.
- 20 Prior to the first occupation of the dwellings hereby permitted, not less than 50% of the approved secure cycle parking areas shall be constructed in accordance with the details identified on drawing 2064-SBA-XX-00-DR-A-010(Q) and associated document BXMW_BLOX_A_41_OF_FSC_BLOX_A and shall be permanently retained in that form. Within 12 months of the first occupation, an additional 25% of the approved storage shall be implemented, and within 24 months of the first occupation, the final 25% of the approved storage shall be implemented, unless otherwise agreed in writing by the Local Planning Authority.
REASON:- To ensure that there is sufficient cycle parking provision in accordance with the Council's adopted standards is maintained for all dwellings on site in perpetuity.
- 21 Prior to the first occupation of the dwellings hereby permitted the general waste and recycle stores and plant areas associated with the development hereby permitted shall be implemented in accordance with the details shown on approved plan 2064-SBA-XX-00-DR-A-010(Q) and retained and maintained accordingly for the lifetime of the development.
REASON:- To ensure the storage areas have an acceptable appearance and are of sufficient size to accommodate the number of bins which are required for this development.

- 22 Prior to the first occupation of the dwellings hereby permitted, the acoustic barrier complying with the specification set out on page 15 of the Change in Ambient Noise Impact Assessment report prepared by Dice Consulting Engineers Ltd. (reference 101875-R02, Version 4, dated 13/6/2025) located in accordance with Drawing Number 1852-PWL-ZZ-XX-DR-L-1001-P09 has been erected in its entirety. The barrier shall thereafter be permanently maintained and retained.

REASON:- In the interests of amenities of occupiers of the site and surrounding residential properties.

- 23 The development hereby approved shall not be occupied until details of the maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to the first occupation of the development hereby approved and thereafter managed and maintained in accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:

- i. a timetable for its implementation.
- ii. details of SuDS feature and connecting drainage structures and maintenance requirement for each aspect including a drawing showing where they are located.
- iii. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime. This will include the name and contact details of any appointed management company.

REASON:- To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with NPPF and Policies of Stevenage Borough Council.

- 24 Prior to the first occupation of the dwellings hereby approved, an updated Noise Impact Assessment shall be submitted to and approved in writing to confirm that the design of windows and ventilators to each dwelling have achieved an acoustic performance that, when windows are closed and ventilators are open, noise levels do not exceed:

- 35dB (LAeq,16hr) during the daytime (07:00 - 23:00) within bedrooms and living rooms;
- 40dB (LAeq, 16hr) during the daytime (07:00 - 23:00) within dining rooms;
- 30dB (LAeq,16hr) during the night (23:00 - 07:00) within bedrooms;
- 45 dB (LAmax) on more than ten occasions during any typical night (23:00 - 07:00) within bedrooms

Where mechanical purge ventilation is required to achieve the above standards with windows closed, this shall be designed so as to ensure that the ventilation system itself does not produce unacceptable levels of noise within each dwelling.

REASON:- To protect the amenity of future occupiers of the development.

- 25 Prior to the first occupation of the dwellings hereby approved, an updated external lighting strategy shall be submitted to and approved in writing by the Local Planning Authority which shall include details of any off-site light spill from the development to ensure compliance with national guidance set out in the ILP Guidance Note 01 - The reduction of Obtrusive Light).

REASON:- In order to protect the amenities and operations of neighbouring properties, to ensure any external lighting does not prejudice highway safety and in the interests of minimising light pollution.

- 26 Upon completion of the surface water drainage system, including any SuDS features, and prior to the first use of the development; a survey and verification report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall demonstrate that the surface water drainage system has been constructed in accordance with the details approved pursuant to condition [LPA to specify]. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed with the findings submitted to and approved in writing by the Local Planning Authority.
REASON:- To ensure the flood risk is adequately addressed, not increased and users remain safe for the lifetime of the development in accordance with NPPF and Policies of Stevenage Borough Council.
- 27 The development hereby permitted shall be carried out in accordance with the scheme of landscaping as shown on approved plan 1852-PWL-ZZ-XX-DR-L-1001-P09. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the building(s) or the completion of the development whichever is the sooner. In regards to hard surfacing, this shall be carried out in accordance with any approved details within three months of the first occupation of the building or the completion of the development, whichever is the sooner.
REASON:- To ensure the development has an acceptable appearance and to protect the visual amenities of the area.
- 28 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.
- 29 No tree shown as retained on the approved plans 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.
- 30 The rating levels of noise emitted by any or all fixed plant shall not exceed those set out Table 10 of the Noise Impact Assessment report prepared by Dice Consulting Engineers Ltd. (reference 101875-R01, Version 4, dated 12/6/2025) at any noise sensitive façade. Any measurement or computation, and allied assessment, shall be made in accordance with BS 4142:2014+A1:2019.
REASON:- In the interests of future occupier amenity.
- 31 The development hereby permitted shall be carried out in accordance with the ecological mitigation and enhancement measures as detailed in the Preliminary Ecological Appraisal and Preliminary Roost Assessment, both dated 10th June 2025 by ACP Consultants Ltd. These documents shall be adhered to at all times during construction, including site clearance works, and during occupation of the development.
REASON:- To ensure protection of the natural environment.
- 32 The windows in the northern side elevation shall be glazed with obscured glass and shall be fixed so as to be incapable of being opened below a height of 1.7 metres above floor level and shall be retained in that form thereafter.
REASON:- To safeguard the privacy of the occupiers of adjoining properties.

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

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

INFORMATIVE

1 Public Information on Planning Applications

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

2 Community Infrastructure Levy

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

This application may be liable for CIL payments and you are advised to contact the CIL Team for clarification with regard to this. If your development is CIL liable, even if you are granted an exemption from the levy, please be advised that it is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (as amended) that CIL Form 6 (Commencement Notice) must be completed, returned and acknowledged by Stevenage Borough Council before building works start.

Failure to do so will mean you risk losing the right to payment by instalments and a surcharge will be imposed. NB, please note that a Commencement Notice is not required for residential extensions if relief has been granted.

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

3 Building Regulations

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

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

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

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

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

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

4 Party Wall etc. Act 1996

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

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

5 Biodiversity Net Gain

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

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

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

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

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

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

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

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

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

6 UK Power Networks

1. UK Power Networks require 24 hour vehicular access to their substations. Consideration for this should be taken during the design stage of the development.
2. There are underground cables on the site associated with the substation and these run in close proximity to the proposed development. Prior to commencement of work accurate records should be obtained from our Plan Provision Department at UK Power Networks, Fore Hamlet, Ipswich, IP3 8AA.
3. Should any diversion works be necessary as a result of the development then enquiries should be made to our Customer Connections department. The address is UK Power Networks, Metropolitan house, Darkes Lane, Potters Bar, Herts, EN6 1AG.
4. The development may have a detrimental impact on our rights of access to and from the substation. If in doubt please seek advice from our Operational Property and Consents team at Barton Road, Bury St Edmunds, Suffolk, IP32 7BG.

7 UK Power Networks - Party Wall Act 1996

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.

8 Herts Police Crime Prevention Design Advisor

Prior to construction the developer is advised to contact the Hertfordshire Constabulary CPDS with a view to seeking to achieve accreditation to the Police preferred minimum security standard that is Secured by Design. The reason for this is to ensure that the development is compliant with both National and Local Planning Policies, in addition, this will also demonstrate the discharge of obligations under Approved Document 'Q' - Security of Building Regulations".

9 Thames Water: Groundwater Risk Management Permit

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.

10 Hertfordshire County Council as Highways Authority

Stopping up of highway: Highway rights will need to be extinguished across the area of land affected in accordance with a Stopping Up order to be made by the Secretary of State for the Department of Transport under Section 247 of the Town and Country Planning Act 1990 before development can commence. Further information is available on the Planning Portal at:

https://www.planningportal.co.uk/info/200187/your_responsibilities/40/other_permissions_you_may_require/14 and on the government website:

<https://www.gov.uk/government/publications/stopping-up-and-diversion-of-highways>

11 Hertfordshire County Council as Highways Authority

Parking and Storage of materials: The applicant is advised that all areas for parking, storage, and delivery of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.

- 12 **Hertfordshire County Council as Highways Authority**
Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website: <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.
- 13 **Hertfordshire County Council as Highways Authority**
Construction Management Plan (CMP): The purpose of the CMP is to help developers minimise construction impacts and relates to all construction activity both on and off site that impacts on the wider environment. It is intended to be a live document whereby different stages will be completed and submitted for application as the development progresses. A completed and signed CMP must address the way in which any impacts associated with the proposed works, and any cumulative impacts of other nearby construction sites will be mitigated and managed. The level of detail required in a CMP will depend on the scale and nature of development. The CMP would need to include elements of the Construction Logistics and Community Safety (CLOCS) standards as set out in our Construction Management template, a copy of which is available on the County Council's website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>
- 14 **Hertfordshire County Council as Highways Authority**
Roads to remain private: The applicant is advised that all new roads/access routes marked on the submitted plans, associated with this development, will remain un-adopted (and shall not be maintained at public expense by the highway authority). At the entrance of the new estate the road name plate should indicate that it is a private road and the developer should put in place permanent arrangements for long-term maintenance.
- 15 **Nesting Birds**
All areas of hedges, scrub or similar vegetation where birds may nest which are to be removed as part of the development, are to be cleared outside the bird-nesting season (March - August inclusive) or if clearance during the bird nesting season cannot be reasonably be avoided, a suitably qualified ecologist will check the areas to be removed immediately prior to clearance and advise whether nesting birds are present. If active nests are recorded, no vegetation clearance or other works that may disturb active nests shall proceed until all young have fledged the nest.
- 16 **Environmental Health**
During the demolition and construction phase of the development, the guidance in BS5228-1:2009 (Code of Practice for Noise Control on Construction and Open Sites) should be adhered to.
- 17 **Environmental Health**
All schemes for ventilation measures within the approved dwellings must adhere to the most up to date edition of the Building Regulations Approved Documents F and O.
- 18 **Lead Local Flood Authority**
The applicant is advised that as a starting point, all infiltration testing should adhere to the most up to date edition of the BRE 365 guidelines.

10. BACKGROUND DOCUMENTS

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