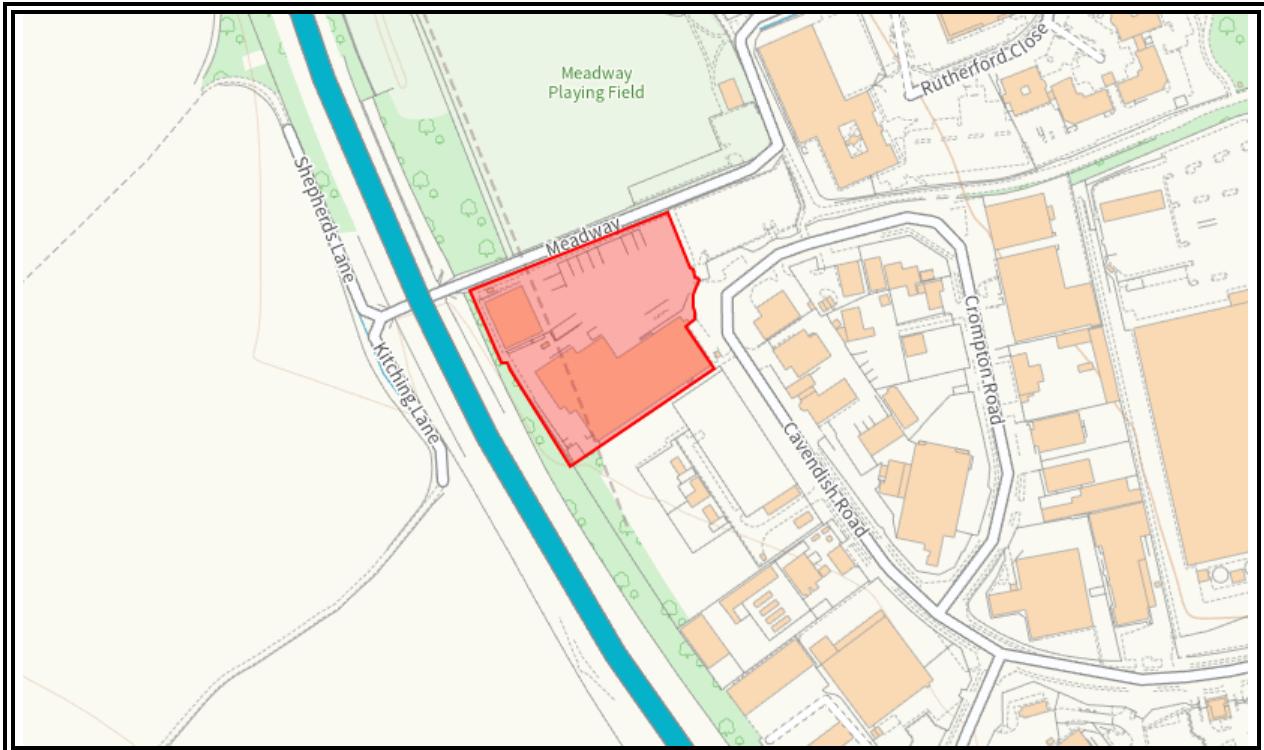


Meeting: Planning and Development Committee **Agenda Item:**
Date: 12th February 2026
Author: Aliya Khalil
Lead Officer: Alex Robinson
Contact Officer: Aliya Khalil

Application No :	25/00896/FP
Location :	Stevenage Borough Council Depot Cavendish Road
Proposal : Drawing Nos.:	Erection of covered storage building for household waste SKK4307/001 Rev B; SKK4307/101 Rev B; SKK4307/102 Rev B; SKK4307/104 Rev B; SKK4307/106 Rev B; SKK4307/002 Rev A;
Applicant :	Mr Leslie Smith
Agent:	Mr Bhupendra Persand
Date Valid:	19 December 2025
Recommendation:	GRANT PLANNING PERMISSION



1. SITE DESCRIPTION

- 1.1 The application site comprises the Borough Council Waste Depot, and is located on the north-western side of Cavendish Road, Stevenage. To the west of the site lies the A1 (M) Motorway, with primarily agricultural land beyond this, and to the north is the Meadow Playing Field. Directly to the south of the site is an electricity substation and gas stations which serve the electricity grid.
- 1.2 It forms as part of the wider Gunnels Wood Industrial Area with a mix of industrial, commercial and warehouse uses, with a two-storey office building serving the application site, and an outdoor waste area.
- 1.3 The site is secured with 2.5 metre high palisade fencing, with mature conifer trees along the northern boundary bordering Meadow Playing Field.

2. RELEVANT PLANNING HISTORY

- 2.1 Under planning application 20/00692/FP, planning permission was sought for the “reconfiguration of existing waste transfer bays including replacement transfer bay enclosures and the creation of 1 no. additional transfer bay with associated enclosure”. This application was granted planning permission in January 2021.
- 2.2 A non-material amendment was sought under planning application 22/00679/NMA, which sought for a “non-material amendment to planning permission 20/00692/FP for Alteration of Glass Waste bay width from 6200mm to 7555mm.” This was agreed to be a non-material amendment in August 2022.

3. THE CURRENT APPLICATION

- 3.1 This application seeks planning permission for the erection of covered storage building for household waste. The purpose of the outbuilding is to cover and contain household waste, with it being open-ended (three-sided) in nature to allow commercial waste vehicles unimpeded access. This seeks to increase capacity for householder waste, to protect the waste from the weather and prevent breaking down of the waste prematurely, to reduce the risk of wind-blown litter and eradicate seagulls from feeding from the waste and to provide a visual screen for the waste.
- 3.2 It will have a maximum height of approximately 8.5 metres, 14.7 metres in depth and 27.65 metres in width. The design and scale would match that of the buildings on site, although it is noted that the existing buildings are taller on site, with a ridge height of 9.6 metres. The walls and roof would be comprised of profiled metal roof sheeting.
- 3.3 This application has been referred to the Planning and Development Committee for its decision. This is because the applicant and landowner is Stevenage Borough Council.

4. PUBLIC REPRESENTATIONS

- 4.1 This planning application has been publicised by way of a site notice posted on the 24th of December 2025, and neighbouring properties have been notified about the application via a letter. No comments or representations have been received.

5. CONSULTATIONS

5.1. Hertfordshire County Council Highways

5.1.1 It has been considered that the proposed development is of a small scale and does not consequently have a significant impact on the safety and operation of the adjoining highway.

5.2 Hertfordshire County Council Minerals and Waste

5.2.1 The Waste Planning Authority welcomes the proposed development to help improve environmental management and operational efficiency at the Household Recycling Centre.

5.3 Environment Agency

5.3.1 It is advised that consideration is paid to Section 6.1 of the 'Non-hazardous and inert waste: appropriate measures for permitted facilities' with respect to emissions control for enclosure within buildings.

5.3.2 It is also advised that water efficient technology, fixtures and fittings should be considered as an integral part of new developments or refurbishments.

6. RELEVANT PLANNING POLICIES

6.1 The National Planning Policy Framework (NPPF)

6.1.1 The National Planning Policy Framework (NPPF) sets out the government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans can provide for housing and other development in a sustainable manner. The latest version of the NPPF was published in December 2024 (with further minor amendments in February 2025).

6.1.2 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. The NPPF must be taken into account in preparing the development plan and is a material consideration in planning decisions.

6.1.3 The NPPF should be read as a whole (including its footnotes and annexes). It should also be read in conjunction with the government's planning policy for traveller sites, and its planning policy for waste.

6.2 The Development Plan

6.2.1 For Stevenage, the development plan comprises the following documents:

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

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

6.3.1 The Stevenage Borough Local Plan 2011-2031 was adopted in 2019, well before the publication of the latest version of the NPPF. However, the policies in the plan should not be considered out-of-date for this reason alone. Instead, weight must be given to them according to their degree of consistency with the NPPF (the closer the policies in the plan align to the policies in the NPPF, the greater the weight that may be given).

6.3.2 However, the council is required to treat its housing policies as out of date because its latest Housing Delivery Test result indicates that the delivery of housing in the borough

has been less than 75% of the housing requirement over the past three years. This means that permission should be granted for applications involving the provision of housing except in the particular circumstances set out under paragraph 11(d) of the NPPF.

6.3.3 There are also some other limited areas of inconsistency between the policies in the local plan and the NPPF. Where relevant, these are explained later in this report.

6.3.4 The policies in the adopted plan most relevant to determining the current application are as follows:

Policy SP1: Presumption in favour of sustainable development;
Policy SP2: Sustainable Development in Stevenage;
Policy SP3: A strong, competitive economy;
Policy SP8: Good Design;
Policy SP11: Climate change, flooding and pollution;
Policy IT5: Parking and access;
Policy EC2a: Gunnels Wood Employment Area;
Policy EC3: Gunnels Wood Industrial Zone;
Policy GD1: High quality design;
Policy FP7: Pollution.

6.4 Local Plan Review and Update (2024)

Local Plan Partial Review and Update

6.4.1 The council concluded a full review of the plan in 2024, as required by regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

6.4.2 In response to the review, the Council has produced a partial update of the local plan. Weight must be given to the emerging policies in the partial update according to:

1. the stage of preparation of the emerging plan;
2. the extent to which there are unresolved objections to the policies; and
3. the degree of consistency between the policies and the most recent revision of the NPPF.

6.4.3 At the time of writing, the partial update is at the stage of having been submitted to the secretary of state for examination. The examination hearings are scheduled to take place in December 2025.

6.4.4 Given that the examination has yet to conclude, there remain unresolved objections to a number of emerging policies. The partial update is nonetheless at an advanced stage of preparation and the council considers the emerging policies within it to have a high degree of consistency with the NPPF. Where relevant, the weight to be given to emerging policies will be set out in the assessment section of this report.

6.5 Other Material Considerations

6.5.1 In determining planning applications, regard must also be had to other material consideration. This may include, but is not limited to:

- The Planning Practice Guidance
- The National Design Guide
- Written ministerial statements and directions
- Guidance published by Hertfordshire County Council
- The Community Infrastructure Levy (CIL)
- Stevenage Borough Council supplementary planning documents

6.5.2 Planning decisions must also reflect relevant internal obligations and statutory requirements.

6.6 Community Infrastructure Levy

6.6.1 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 is its acceptability in land use policy terms, impact on visual amenities, impact on amenities, parking and highways implications and impact on the environment.

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

7.2 Land Use Policy Considerations

7.2.1 The application site is located within the Gunnels Wood Employment area and is defined in the adopted Stevenage Borough Local Plan 2011-2031 (2019) under Policy EC2a (Gunnels Wood Employment Area). Policy EC3 of the Local Plan is relevant as the site falls specifically within the Gunnels Wood Industrial Zone on Crompton Road. In these areas, the Policy states that planning permission will be granted where a development is for use classes B1(c) light industry (now Class E(g)(iii)), B2 general industry and / or B8 storage and distribution and, in addition, any new unit or building is of an appropriate size and does not generally exceed 500m² within the Crompton Road industrial area. The policy states that planning permission will only be granted to as an exception to these criteria where the development is ancillary, or essential to the continued operation of, an established B-class use.

7.2.2 As outlined in paragraph 3.1 of this report, the application seeks to erect a covered storage building for increasing the householder waste capacity and ensuring that it is covered. Given the Council's Waste Depot is an established use in this part of the employment site and these bays are fundamental to the operation of the site, the proposed development is in accordance with the Council's employment policies set in the adopted Local Plan (2019).

7.3 Impact on the appearance of the area

National Planning Policy Framework and Planning Practice Guidance

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

7.3.2 The National Design Guide 2021, which was published by the Government, is a material consideration in the determination of planning applications. It states that buildings are an important component of places and proposals for built development are a focus of the development management system. However, good design involves careful attention to other important components of places. These include:

- the context for places and buildings;
- hard and soft landscape;
- technical infrastructure – transport, utilities, services such as drainage; and

- social infrastructure – social, commercial, leisure uses and activities.

7.3.3 A well-designed place is unlikely to be achieved by focusing only on the appearance, materials and detailing of buildings. It comes about through making the right choices at all levels, including:

- the layout;
- the form and scale of buildings;
- their appearance;
- landscape;
- materials; and
- their detailing.

Development Plan

7.3.4 Policy SP8 of the Local Plan Partial Review (2024), generally reflects the requirements of the NPPF in that it requires new development to achieve the highest standards of design and sustainability. In addition, Policy GD1 generally requires all forms of development to meet a high standard of design which includes form of built development, elevational treatment, and materials along with how the development would integrate with the urban fabric, its relationship between buildings, landscape design and relevant aspects of sustainable design.

7.3.5 In the emerging local plan partial review and update, criterion (e) is updated to refer to “unacceptable” adverse impacts. The intention behind the change is to make clear that in some circumstances, an adverse impact might still fall within acceptable bounds and that this is a matter of judgement for the decision maker. Policy GD2 is a new policy emerging from the local plan partial review and update. It states that proposals which demonstrate they have been designed to achieve a rating of excellent or higher against a relevant BREEAM standard and/or to achieve the BRE Home Quality Mark will be strongly supported, although this is not mandatory.

Supplementary Planning Document

7.3.6 The Council's Design Guide SPD (2025) sets out that an understanding and analysis of the original New Town design concepts identified some key issues. These have been used as key themes, which run throughout the entirety of the Design Guide. Considering these concepts at all stages of the development process provides a good basis for the creation of a successful place; based on the recognised principles of urban design, but also building on the existing fabric of the town without taking away from Stevenage's history as Britain's first Mark One New Town. The themes have been identified as follows:

- Sustainability – incorporate principles of sustainable development from a town-wide perspective to measures incorporated into an individual property;
- Increasing densities – encourage high densities in accessible locations;
- Respecting existing characteristics – respect local characteristics and preserve and enhance existing features, where appropriate;
- Legibility – provide landmark developments at nodal points;
- Design innovation – showcase Stevenage as an example of high-quality design, creating safer places through urban design techniques.

7.3.7 The proposed development would comprise the erection of a 8.5m high profiled metal sheeting in a grey sheeting, with powder coated guttering and rainwater pipes. This building will be approximately 27.65 metres in width and 14.7 metres in depth. This building is being erected to provide additional capacity for householder waste, and to ensure this is stored in a suitable location to avoid birds feeding on the waste, to improve the visual and general amenity of the site and to protect the waste from premature break down.

7.3.8 This building will be of a slightly smaller scale in both height and width than the existing storage building on site, but is to be located in a similar position which is towards the rear of the site. As such, they would be located at least 50m from the nearest public

vantage point on Cavendish Road. Therefore, due to the presence of existing boundary treatment, location of buildings, these enclosures would only be visible at very acute viewing angles from Cavendish Road i.e. the site entrance. In terms of public vantage points from the Meadoway, the existing trees are to be retained in order to continue to provide a natural screen. As such, you would only catch glimpses of the proposed enclosures. In terms of their design, they are utilitarian and reflect the operational design requirements for the waste transfer element of the depot which is also industrial in nature. As such, the proposal is not out of character in this established employment area.

7.3.9 Given the aforementioned assessment, the proposal would not have a detrimental impact on the character and appearance of the site. In addition, the proposal would not harm the visual amenities of the wider street scene. Therefore, it accords with the design policies in the adopted Local Plan (2019), the Council's Design Guide SPD (2025), and the NPPF (2024).

7.4 Impact on Neighbouring residential amenity

National Planning Policy Framework and Planning Practice Guidance

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

Development Plan

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

7.4.3 In terms of impact on residential amenities, the nearest residential properties are located 195m from the application site, the closest being Benoni, Symonds Green Lane. Due to the significant separation distance combined with the site already being in operation, it is not considered the proposal would harm the amenities of the nearest residential properties. In terms of impact on the surrounding area, the site does fall within an industrial which already has a large amount of background noise. Therefore, the proposal would not harm amenities more generally.

7.5 Car Parking and Cycle Provision

National Planning Policy Framework and Planning Practice Guidance

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

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

Development Plan

7.5.2 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 and Sustainable Transport SPD 2020.

7.5.3 The proposed development does not seek to increase the number of staff already employed at the Waste Depot. In addition, the proposal would not have an impact on existing parking which is already being provided on site. With respect to the impact on the highway network, the application site already benefits from an existing vehicle access offset from Cavendish Road which is designated as a local access road with a speed restriction of 30mph. The proposal does not seek to alter or create any new access points onto the established highway network.

7.5.4 The existing access itself is integrated into an industrial design carriageway that includes a combined verge and footway. This offers a wide envelope of visibility that provides an acceptable level of vehicle-to-vehicle inter-visibility and pedestrian visibility. The proposal, as it does not result in the creation of additional staff or alter the existing parking provision, would not generate any additional vehicle traffic.

7.5.5 Given the aforementioned assessment, Hertfordshire County Council as Highways Authority does not consider the proposed development would have a detrimental impact on the safety and operation of the highway network.

7.6 Impact on the Environment

7.6.1 The application site is already in operation as a waste depot on behalf of Stevenage Borough Council, and the scheme will not create any additional environmental impact over and above the existing situation. In terms of the construction of the development, the Environmental Agency have advised that any new developments or refurbishments should be affixed with water efficient technology. This submitted details do not indicate that any new water resources are to be installed under this application.

7.7 Biodiversity, Ecology and Protected Species

7.7.1 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.

7.7.2 Applicants for planning permission are required to make a statement as to whether the biodiversity gain condition will apply if permission is granted, and, if it does not apply, under which exemption they are applying.

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

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

7.7.4 The building is to be constructed on existing hardstanding, which will remain following completion of development as no foundation is to be created for the erection of the building.

7.8 Other Matters

CIL Liability

7.8.1 Due to the nature of the proposed development, there is no CIL liability.

7.9 Equality, Diversity and Human Rights

7.9.1 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.

7.9.2 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.

7.9.3 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.

7.9.4 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.

7.9.5 The proposal does not affect the accessibility into the Waste Depot, nor would it affect members of the public, including those covered by the Equalities Act. The proposed development is not considered therefore to have any material impact on persons with any of the protected characteristics listed under the Equalities Act.

CONCLUSIONS

- 8.1 To conclude, the principle of the proposed development is acceptable as it would support the operation and maintenance of the Waste Depot. Furthermore, it will not have a detrimental impact on the character and appearance of the site, and nor will it detract from the exiting visual amenities of the street scene. The proposal will not cause harm to the amenities of the nearest residential properties, and nor will it have any impact on the safety and usability of the highway network. It will not generate any additional harm above the exiting situation at the Waste Depot.
- 8.2 Given the aforementioned, the proposed development is considered to be acceptable in line with the Council adopted Local Plan, Planning and Design Guide SPD (2025), the Council's Car Parking Standards SPD (2025), the NPPF (2024) and Planning Practice Guide.

9. RECOMMENDATIONS

- 9.1 That planning permission be GRANTED.

SUBJECT TO THE FOLLOWING CONDITIONS/REASONS

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:SKK4307/001 Rev B; SKK4307/101 Rev B; SKK4307/102 Rev B; SKK4307/104 Rev B; SKK4307/106 Rev B; SKK4307/002 Rev A;
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 construction work relating to this permission shall be carried out on any Sunday, Public or Bank Holiday nor at any other time except between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 0900 and 1300 on Saturdays.
REASON: - To safeguard the amenities of the occupiers of neighbouring properties.
- 4 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be submitted to and approved in writing by the local planning authority. Following completion of measures identified in the approved remediation scheme a verification report must be submitted to and approved in writing by the local planning authority.
REASON:- To ensure that the site does not pose any risk to human health and to ensure that the development does not contribute to unacceptable concentrations of pollution posing a risk to public water supply from previously unidentified contamination sources at the development site and to prevent deterioration of groundwater and/or surface water by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is completed.

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

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

INFORMATIVE

1 Public Information on Planning Applications

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

2 Community Infrastructure Levy

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

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

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

3 Building Regulations

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

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

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

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

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

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

4 Party Wall etc. Act 1996

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

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

5 Biodiversity Net Gain

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

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

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

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

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

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

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

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

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

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

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

6 Hertfordshire County Council as Highways Authority

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.

7 Hertfordshire County Council as Highways Authority

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

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 2024 and Planning Practice Guidance.