

Meeting: Planning and Development Agenda Item:
Committee

Date: 4 June 2026

Author: Linda Sparrow

Lead Officer: Alex Robinson

Contact Officer: Linda Sparrow

Application No : 26/00216/FP

Location : 33 Julians Road Stevenage

Proposal : Change of use of 6no. dwellinghouses (Use Class C3) to 6no. five-bedroom Houses of Multiple Occupation for up to six-persons each Use Class C4)

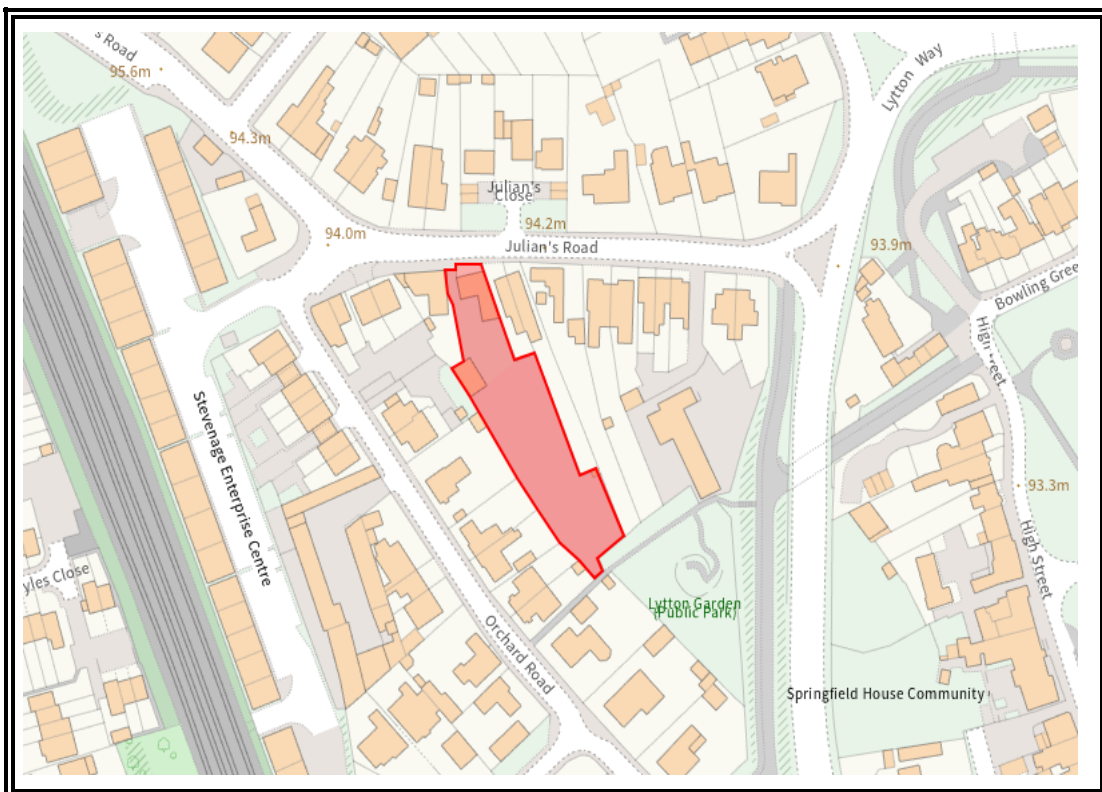
Drawing Nos.: Site Location Plan; 21123-P001-B; 21123-P002-C

Applicant : Mrs R Buddhdev

Agent: Mr Paul Cavill

Date Valid: 9 March 2026

Recommendation: **GRANT PLANNING PERMISSION**



1. SITE DESCRIPTION

- 1.1 The application site is currently under construction with two buildings each comprising 3 dwellings. The dwellings approved were 4no. four bedroom and 2no. three-bedroom dwellings. At the time of writing this report, the external build of the southern building is complete whilst the northern building is still under construction and no parking or landscaping work has commenced, due to the ongoing construction works.
- 1.2 The site also comprises a detached dwelling fronting Julians Road which has been converted to 2no. flats historically, and an office building to the rear of this building.
- 1.3 Prior to the construction described in paragraph 1.1 above, the site previously comprised of an extensive yard area which contained a two-storey L-shaped outbuilding that was partially in use as an office and partially vacant and in a state of disrepair.
- 1.4 The site lies on the southern side of Julians Road, between the junctions with Hitchin Road to the east and Orchard Road to the west. The site is an irregular shape which extends approximately 100 metres from the entrance on Julians Road along the rear gardens of properties in Orchard Road on the western boundary. Although most of the immediate neighbours are residential, there are a number of commercial premises in Orchard Road and a garage to the rear of the gardens behind 15-23 Julians Road.
- 1.5 There are two former public houses (both non-designated heritage assets) in the vicinity, fronting Julians Road, both of which have been converted into residential use. The Rising Sun P.H is now No.35 Julians Road, and The Mallard (formerly The Railway Inn) is now 37a, 37b, and 37c Julians Road and 28 Orchard Road.
- 1.6 Properties in this area are generally large, detached dwellings with unique character and design. Roofs are typically pitched, with some examples of hipped pitches, a variety of gullies and valleys, and crown roofs. Brickwork is general red-multi with a number of buildings also containing smooth painted render in hues of white and cream with some having mock Tudor detailing. Dormer windows at both the front and rear are also a regular feature, as are bay windows, chimneys and street facing gable fronted roof features.

2. RELEVANT PLANNING HISTORY

- 2.1 2/0026/76 Change of use of part first floor to joinery workshop. Refused 07.04.1976.
- 2.2 2/0045/76 Outline application: two storey storage building. Refused 19.08.1976.
- 2.3 2/0279/76 Enforcement notices: change of use of part of first floor for joinery workshop, intensification of use as builders yard. Enforcement notice upheld at appeal 21.1.1977.
- 2.4 2/0350/78 Storage building and covered way: change of use of two room from residential to offices at ground floor and first floor levels. Approved 06.03.1979.
- 2.5 01/00677/FP Change of use from warehouse (B8) to 3 B1 units, erection of front and rear two storey extensions and elevational changes. Granted 29.05.2002.
- 2.6 09/00007/FP Part demolition and re-building of existing flats incorporating single storey extension to offices. Two storey extension to existing building to facilitate use for B1 (office/light industrial purposes) and erection of detached two storey building B1/B8 (light industrial purposes). Alterations to existing access and provision of associated parking facilities. Withdrawn 25.02.2009.

- 2.7 09/00008/CA Conservation Area application for part demolition of rear barn. Withdrawn 25.02.2009.
- 2.8 09/00107/FP Change of use from B8 to B1 (office/light industrial purposes) of site and change of use of part of residential rear garden at 31 Julians Road to B1 use. Part demolition of 33 Julians Road. Refurbishment of northern warehouse and replacement of southern warehouse building. Erection of a single storey building to the rear of the site. Alterations to existing access and provision of associated parking facilities. Refused 16.09.2009, for the following reason:
1. The proposed development would, as a result of the additional commercial floorspace and car parking spaces that would be provided within the curtilage of the site, generate a level of activity that would detract from the amenities of the occupiers of neighbouring residential properties by reason of noise and general disturbance, contrary to policy E7 of the Stevenage District Plan Second Review 1991-2011 and Government guidance contained in Planning Policy Guidance 4: Industrial, commercial development and small firms.
This application was appealed under reference APP/K1935/A/10/2121338/NWF and was dismissed on 10.09.2010.
- 2.9 09/00108/CA Conservation area consent for demolition of rear warehouse building. Granted 16.09.2009.
- 2.10 23/00889/FP Demolition of the existing yard buildings (office and storage) and their replacement with 6 no. dwellings with associated gardens, landscaping, car and cycle parking. Retention of existing residential (2 no. flats) and office building (Class E) to the front of the site (33 Julians Road). Granted 18.01.2024.

3. THE CURRENT APPLICATION

- 3.1 This application seeks planning permission for the change of use of the previously approved 6no. dwellinghouses (Use Class C3) to 6no. five-bedroom Houses of Multiple Occupation (Use Class C4).
- 3.2 The application comes before the Planning Committee as it was called in by a number of Local Councillors.

4. PUBLIC REPRESENTATIONS

- 4.1 Following notification of the application via letters and the erection of site notices, at the time of writing this report 42 public representations have been received from 30 addresses.
- 4.2 A summary of the comments received are set out below:

- Harm to residential amenity;
- Harm to the character and appearance of the area;
- Overconcentration of HMOs in one location;
- Parking pressure and overspill onto the adjacent highway;
- Loss of family housing;
- Increased waste and recycling generation;
- Increased noise and activity levels;
- Overdevelopment of the site;
- Concerns regarding access for emergency vehicles
- Insufficient amenity space;
- Issues relating to sewerage and drainage;

- Need for HMOs acknowledged, but concerns regarding their concentration in one area;
- Lack of need for additional flats/HMOs, with suggestion that existing units are vacant;
- Concerns regarding the applicant's intentions;
- Potential for excessive occupancy (up to 60 persons);
- Alleged breach of the Article 4 Direction relating to HMOs;
- Uncertainty as to whether bedrooms meet HMO standards;
- Concerns that higher occupancy levels could result in a sui generis use rather than Use Class C4;
- Inaccuracies within the submitted Transport Statement;
- Objections based on personal preference regarding change in local population;
- Absence of a submitted fire strategy;
- Overlooking and loss of privacy;
- Concerns regarding safety and security due to transient occupiers;
- Lack of elevation drawings;
- Concerns that the submitted management plan is unenforceable and unsupported by evidence.

4.3 The aforementioned is not a verbatim copy of the objections which have been raised.

5. CONSULTATIONS

5.1. SBC Environmental Health

There is no space standards indicated on the plans which will impact the occupancy. If permission is granted, then it is recommended that an informative is added to bring the licence requirements to the applicants' attention.

5.2. Herts County Council as Highways Authority (HA)

31st March 2026: Recommend that planning permission is refused owing to doubt over implications for highway safety and amenity. The transport statement/design and access statement refer to 18 parking spaces of which 4 are retained for previous uses. 18 spaces are shown on one plan but not the other, please rectify the discrepancy.

23rd April 2026: Recommend that planning permission is refused owing to the proposed parking spaces not conforming to the current minimum size standards; the spaces only measure 4.8m x 2.4m which is the former standard. A revised parking layout and swept path analysis will be required. The proposals for waste and recycling do not include sufficient detail. The term 'euro bins' suggests a substantial four-wheeled structure which would be heavy and difficult for one resident to move on their own. The applicant needs to clarify what sort of receptacles are intended and where. The collection area is not shown on the amended site layout.

13th May 2026: The applicant has now submitted an Amended Site Plan Ref. 21123-P002-C in which the bays are shown to conform with Hertfordshire's P&MP&DG (4.6.11). The LPA as parking authority will determine whether the proposed parking provision accords with its current standards for this location and intended use, including those for secure cycle storage, electric vehicle charging and blue badge holders. Waste & Recycling The Authority notes the provision of a dedicated bin storage area close to the highway boundary and the proposal for bins to be taken to and removed from there on collection days by site management staff rather than residents. Stevenage Borough Environmental Operations Department will confirm whether the revised arrangements conform with their current standards. Accordingly, Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

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.

6.4 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 Stevenage Borough Local Plan 2011-2031 was adopted in 2019. Weight must be given to the policies it contains according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given).

6.6.2 In addition, the council is required to regard the local plan policies most relevant to determining the application as out-of-date because the application involves the provision of housing and the delivery of housing in the borough was substantially below the housing requirement over the last three years. Those policies are:

Policy SP1: Climate Change
Policy SP2: Sustainable development in Stevenage;
Policy SP5: Infrastructure;
Policy SP6: Sustainable transport;
Policy SP7: High quality homes;
Policy SP8: Good design;
Policy IT5: Parking and access;
Policy IT6: Sustainable transport;
Policy HO5: Windfall sites;
Policy HO9: House types and sizes;
Policy GD1: High quality design;
Policy FP7: Pollution;
Policy FP8: Pollution sensitive uses;

6.6.3 According to the NPPF, the fact that these policies are regarded as out-of-date means that permission should be granted for the proposed development unless: i. the application of policies in the NPPF that protect areas or assets of particular importance provide a strong reason for refusing the development; or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

6.7 Local Plan Review and Update (2024)

- 6.7.1 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).
- 6.7.2. In response to the review, the council has proposed a partial update of the local plan. Weight must be given to the emerging policies in the partial update according to: a) the stage of preparation of the emerging plan; b) the extent to which there are unresolved objections to the policies; and c) the degree of consistency between the policies and the most recent revision of the NPPF.
- 6.7.3. At the time of writing, the partial update is undergoing examination by the Secretary of State. 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.

6.8 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 The main issues in the assessment of the application are the principle of development, design and visual impact, impact on residential amenities, car parking, and biodiversity net gain.
- 7.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

7.2 Principle of 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 proposal is for the conversion of the under-construction 6no. dwellings (Use Class C3) into 6no. five-bedroom houses in multiple occupation for a maximum of six occupants each (Use Class C4).
- 7.2.3 Like class C3 dwellinghouses, HMOs are a form of housing and therefore a residential use of land. However, as per the Housing Delivery Test measurement rule book (December 2024), a ratio is applied to (non-student) communal accommodation based on the national average number of adults in all households. The current ratio is 1.9. This has been calculated by dividing the total number of adults living in all households by the total number of households in England. Source data is from the Census 2021 and is prepared by the Office for National Statistics. The ratio will be updated following each Census when the source data is publicly available.
- 7.2.4 Accordingly, each five-bedroom HMO is treated as 2.6 dwellings (five bedrooms divided by 1.9). This means the proposed development would result in an equivalent of 15.6 dwellings which would be a net increase of 9.6 dwellings over the under-construction development and an increase of 15.6 dwellings over the original site.
- 7.2.5 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.
- 7.2.6 The spatial strategy for housing also remains unchanged; much 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.
- 7.2.7 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.
- 7.2.8 Policy HO5 of the adopted local plan sets out various criteria which windfall development must satisfy. Strictly from a land use perspective, the proposal complies with all of these: the site is small, underutilised and located in an urban area; it benefits from good access to local facilities, being within walking distance of local shops, community buildings and public transport services; it would not prejudice the deliverability of nearby allocated sites, since there are none; and in light of the fact that CIL would be payable, there is nothing to indicate that it would overburden infrastructure. The proposal is therefore considered to accord with Policy HO5 of the adopted plan.
- 7.2.9 In the emerging partial update of the local plan, criterion (a) of Policy HO5 is amended to delete the word “small”. This change is made for the sake of consistency with the NPPF, which promotes an effective use of land regardless of its spatial extent. Criteria (b), (c) and (e) are deleted in their entirety to prevent duplication with other local plan policies. The emerging version of the policy carries significant weight, and the proposal is considered to comply with it.

- 7.2.10 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. In the partial update of the local plan, a new policy (Policy HO14) is introduced which requires proposals for HMOs to have an acceptable impact on housing supply.
- 7.2.11 The only identified imbalance in the borough's existing stock is a very high proportion of three-bedroom dwellings and terraced dwellings. The proposed development would not address this imbalance but equally would not exacerbate it.
- 7.2.12 As for housing need, the latest evidence is presented in the Strategic Housing Market Assessment (SHMA) 2023. This does not directly consider the supply of – or need for – HMOs. However, it is well understood that HMOs satisfy a need that would otherwise be fulfilled by one-bedroom affordable housing units. The SHMA 2023 shows that the need for one-bedroom affordable units is marginally higher than the need for other types of housing units. The proposal is consistent with the aim of meeting this identified need.
- 7.2.13 Having regard to the above, the proposal is considered to accord with relevant adopted and emerging land use policies, in particular Policies HO5 and HO9 of the adopted local plan and the emerging Policy HO14. It follows that the development is acceptable in principle.

7.3 Design and visual impact

Policy Background

- 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 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. Policy GD2 (design certification) is a new policy emerging from the review and states that the Council will support developments that are designed to achieve high levels of certification against nationally and internationally recognised sustainability standards such as BREEAM excellent, Secured by Design Silver or higher or BRE Home Quality Mark.
- 7.3.3 There are no external alterations proposed to the previously approved scheme that is currently under construction and therefore there is no requirement to provide any elevation plans.
- 7.3.4 Comments received regarding HMOs not being in keeping with the character and appearance of the area are noted. However, both Class C3 dwellinghouses and Class C4 HMOs fall within the same broad residential use category. In the absence of any external

alterations to the approved buildings and given that the proposal relates solely to a change of use, it is not considered that the development would materially alter the character or appearance of the surrounding area, which is predominantly residential in nature.

- 7.3.5 Policy HO14 of the Local Plan Partial Review does not restrict the number of HMOs in any given area and therefore the proposed change of use of all six dwellings in this back land development is not contrary to this policy.
- 7.3.6 Having regard to the above, it is considered that the proposed development would be of a high quality and suitably respectful of its surroundings. In these respects, the proposal accords with the relevant policies of the local plan.

7.4 Impact on Neighbouring residential amenity

- 7.4.1 Policy GD1 of the local plan requires that development does not lead to an adverse impact on the amenities of neighbouring occupiers. In the emerging partial update of the local plan, Policy GD1 is amended to refer to “unacceptable adverse impacts” on neighbouring amenities. This change is proposed to reflect the fact that in some instances, impacts on amenities may be deemed to be acceptable despite being adverse. The emerging policy is afforded significant weight. Policy HO5 additionally requires windfall development to have an acceptable impact on the surrounding environment.
- 7.4.2 The ground floors would comprise open plan living, dining, and kitchen spaces and 1no. en-suite bedroom; the first floors would comprise 2no. en-suite bedrooms; and the second floors would comprise 2no. bedrooms with a shared bathroom.
- 7.4.3 Environmental Health have assessed the application and advised they have no objections or concerns. They requested an informative be added to any grant of permission to alert the applicant to licensing and fire safety requirements of HMOs.

Outlook and Privacy

- 7.4.4 The site is bounded by residential dwellings to the north (Julians Road) and east (Orchard Road). To the west are the residential gardens of Julians Road properties with the commercial premises known as Lincolns Tyres beyond
- 7.4.5 The Julians Road properties would have their rear elevations facing the front of the northern block and there is no minimum separation in the Design Guide SPD (2025) for this. The most affected properties are No.35 and the flats within No.33. No.35 was granted planning permission for a two-storey rear extension of 6.2m deep in 2022. Taking this into account, the back to front separation distance is approximately 29m which is considered acceptable so as not to result in a loss of privacy.
- 7.4.6 Comments from residents regarding overlooking are noted, however, the previous buildings on the site that were in use as offices had windows directly overlooking neighbouring properties and it was considered under the 2023 planning permission for the 6no. dwellings that the proposed dwellings would be approximately 15m further away than the previous building, such that there would actually be a betterment to the as then existing conditions for neighbouring residents. Potential occupiers of the previously approved dwellings and potential occupiers of the proposed HMOs would have no more views into their private rear garden than the existing neighbours at Nos. 37a, b, and c currently do.
- 7.4.7 The flatted development within No.33 Julians Road is also orientated front to back the same as No.35 is, and the assessment above would be the same for these properties.

- 7.4.8 The properties in Orchard Road would have their rear elevations facing the side elevations of the proposed buildings, for which the Design Guide SPD identifies a minimum separation distance of 15m. Whilst the buildings include accommodation within the roof space, they are read as two-storey in scale and there are no windows proposed in the side elevations. As such, it is considered appropriate to assess the relationship on the basis of a two-storey form in this instance. The separation distances range between approximately 14m and 16m; however, given the absence of side-facing windows, it is not considered that this relationship would give rise to any unacceptable overlooking or loss of privacy. Accordingly, the relationship is considered to be acceptable.
- 7.4.9 With regard to the new buildings themselves, these are orientated such that the front of the southern block faces the rear of the northern block. There are no minimum distances for this orientation. However, they are approximately 25m apart which is considered acceptable in this regard.

Noise

- 7.4.10 Policy FP7 of the Local Plan requires all development proposals to minimise, and where possible, reduce air, water, light and noise pollution. Planning permission will be granted when it can be demonstrated that the development will not have unacceptable impacts on general amenity and the tranquillity of the wider area. Policies GD1 and HO5 also require that developments do not have an adverse impact on neighbouring uses or the surrounding area.
- 7.4.11 Turning to the operational side of the development, although the change in occupancy of the buildings could potentially generate additional noise, it is not considered that this would amount to a level that would result in unacceptable harm to neighbouring residents. The previously approved scheme comprised 4no. four-bedroom dwellings which could potentially have accommodated 2 parents and 3-4 children (including adult children), and 2no. three-bedroom dwellings which could potentially have accommodated 2 parents and 2-3 children (including adult children) each.
- 7.4.12 On that basis, the previously approved scheme could have potentially accommodated up to 34 people, but more realistically would have accommodated around 28-30 people. The proposed scheme is for 6no. HMOs in the C4 Use Class, which could only accommodate 6 people each, giving a total maximum allowed of 36 people.
- 7.4.13 As such, the approved scheme and the proposed scheme are for very similar number of people, and the possibility of 6 persons in each property is considered to be in line with that which could potentially live in the previously approved dwellings as a larger family home. Further to this, it is not uncommon to find HMOs within a predominantly residential area of a town as they provide short-term lets to individuals.
- 7.4.14 However, HMOs are generally subject to Building Regulations Approval which may require noise insulation. In addition, they have to be licensed under Section 63 of the Housing Act 2004. Therefore, any issues around the operation of the HMO would be for the Council's environmental health department to enforce against.
- 7.4.15 Noise from construction is an inevitable part of developments, but, with no proposed alterations internally or externally, this is not considered to be an issue in this instance.

Intensification of Use

- 7.4.16 From a planning perspective, the number of occupiers that could satisfactorily occupy the property is ultimately a housing matter determined through the Environmental Health Licencing process and is not part of the planning assessment in this instance. Notwithstanding this, the applicant has specifically only applied for HMOs under Use Class C4, which is restricted under the Town and Country Planning (Use Classes) Order 1987 (as amended) to only 6 people in each dwelling. Numbers above this would be subject to an assessment of whether a material change of use has occurred to Use Class *Sui Generis*. The current application must be assessed on its merits as submitted and cannot be refused on matters that have not arisen, such as a breach in the number of occupants.
- 7.4.17 With regards to the implementation of a condition to control the number of occupants, such conditions are not generally enforceable. Whilst the imposition of such conditions may resolve any concerns that the intensity of occupancy of premises would increase in the future, they would fail the enforceability test and would also be in danger of failing the test of necessity. This is because the Housing Act 2004 HMO licensing regime gives local authorities power to specify the maximum number of residents that may occupy a house in multiple occupation with its existing facilities. Accordingly, the Council does not consider it reasonable to impose such a condition, especially as the licensing regime can limit the number of residents that can occupy a house.
- 7.4.18 With regards to increased noise and disturbance from additional residents, it is acknowledged this could be greater than at present; however, it is not considered it would amount to anything over and above what could ordinarily be expected from domestic residences containing solely adults, and any issues arising from such would be controllable through the Environmental Health Licencing powers.

Future Occupiers and Management of the HMO

- 7.4.19 The Council as Local Planning Authority has no control over who would occupy the HMOs in the future if this application was granted planning permission. Whilst the applicant has submitted a management policy, this is not enforceable by the Local Planning Authority and carries no weight in the assessment of the application. However, the properties would need to be licensed as HMOs by the Council's Environmental Health and Licensing Department. Any issues with the operation of the HMO in the future would be enforced by the respective department.
- 7.4.20 It is noted that the applicant has stated their intention to offer their accommodation only to local professional workers and that they vet applications to ensure potential tenants meet their high standards. The recently adopted Renters' Rights Act 2026, whilst removing Landlord's ability to discriminate against certain persons or characteristics, still allows Landlords and their agents to have final say on who they let their property to and can carry out referencing checks to make sure tenancies are sustainable for all parties. Accordingly, the management company of the HMOs would have final say over future occupiers and could offer to only professional workers if their referencing checks meet all relevant laws and legislations.
- 7.4.21 How residents of a proposed conversion might conduct themselves - whether they would come in late at night or leave early in the morning, whether they would care for the property or contribute to the social life of the area, is not something that the planning process should be involved in as these matters would be a matter for either the Landlord of the property through Tenancy Agreements, or Environmental Health if concerning noise.

- 7.4.22 Case Law suggests that anti-social behaviour and fear of crime can be material planning considerations where there is an evidential basis for that fear. In this instance, there is no evidence before the Council that any HMOs that may be in the vicinity of the site have given rise to any anti-social behaviour, increased crime rates, or harm to residential amenity through noise complaints. Accordingly, there is insufficient evidence before the Council that granting permission for the proposed HMOs would give rise to an increase in crime or anti-social behaviour and therefore it is not considered to be a reason for refusal that could be successfully defended on appeal.
- 7.4.23 Designing out crime through Secured by Design is recommended to developers but is not required through the Local Plan and therefore the imposition of a condition in this regard would be unreasonable.
- 7.4.24 Having regard to the above, the proposed development would have an acceptable impact on the amenities of neighbouring occupiers. In this respect, the proposal accords with Policies GD1 and HO5 of the adopted local plan. In the emerging partial update of the local plan, Policy GD1 is amended to refer to “unacceptable adverse impacts” on neighbouring amenities. This change is proposed to reflect the fact that in some instances, impacts on amenities may be deemed to be acceptable despite being adverse. The emerging policy is afforded significant weight, and the proposal is considered to comply with it.

7.5 Impact Upon Amenities of Future Residents

Standard of Accommodation

- 7.5.1 Policies SP8 and GD1 of the Local Plan Partial Review (2024) relate to high quality and good design and 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.
- 7.5.2 Whilst Policy GD1 of the adopted local plan requires residential developments to comply with the government’s nationally described space standard (NDSS), which is reproduced in the plan in appendix C, these national standards do not apply to HMOs. This is because HMOs are covered by the Housing Act 2004 and Environmental Health Licencing laws and Planning should not obstruct, nor override, these other powers, and additionally, the NDSS only applies to self-contained accommodation types.
- 7.5.3 There is no minimum floor area for dwellings used as an HMO, but the bedrooms will be required to meet the minimum space standards of the Council’s Environmental Health departments’ HMO Licensing. This requires single rooms to be at least 6.5sqm and double rooms to be at least 10.5sqm. Where a property will be occupied as a House in Multiple Occupation by five or more persons, an application to the Council for a HMO Licence must be made in accordance with Section 63 of the Housing Act 2004.
- 7.5.4 All bedrooms have been measured by Officers as between 8sqm and 16.75sqm and as such all bedrooms are considered to exceed the minimum space standards of the Environmental Health licence requirements.

Private amenity space

- 7.5.5 In respect to private amenity space, the Design Guide SPD (2025) requires that all dwellings should have private open space of at least 50sqm and at least 10m deep. All gardens measure between 52sqm and 62sqm and all meet the required depth of 10m and are therefore considered acceptable and policy compliant.

Noise and Pollution

- 7.5.6 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. Given the proposed development would be located within an existing residential area; harm from noise is not considered an issue. Through the Local Plan Review, these policies now carry significant weight.

7.6 Car Parking and Cycle Provision

National Planning Policy Framework and Planning Practice Guidance

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

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

- 7.6.2 Policy IT5 of the local plan requires developments to provide parking in accordance with the council’s Parking Provision SPD (2025). Policy SP6 (Sustainable Transport), has been significantly updated in the Local Plan Partial Review and requires, amongst other things, for developments to demonstrate they are in a sustainable location and will promote active travel by non-car modes of transport by providing appropriate cycle parking and prioritise public transport.

- 7.6.3 The Parking Provision SPD (2025) sets out the maximum amount of off-street parking for residential developments based on the number of bedrooms. The proposed development would result in 6no. five-bedroom HMOs. HMOs require 0.5 spaces per bedroom unit, so each five-bedroom property would require 2.5 spaces with a total site requirement therefore of 15 spaces.
- 7.6.4 The existing office use and flatted developments on the site would require the provision of 3 spaces and 2 spaces respectively. However, as set out in the 2023 planning permission, the offices only have 2 spaces so are under-provided. The 2023 planning permission determined that the existing 4 spaces for the existing uses would remain acceptable.
- 7.6.5 Taking account of the above, the current proposal would therefore require 4 spaces for the existing uses and 15 spaces for the proposed HMOs, giving a total requirement of 19 spaces. The site is not located in a residential and non-residential accessibility zone and therefore no reductions would be applicable.
- 7.6.6 It is noted that the submitted Transport Statement makes reference to residential accessibility zones adjacent to the site whilst noting that the site itself does not fall within any accessibility zones. The parking Provision SPD (2025) states that *“the fact that a site lies close to the boundary of an accessibility zone (or an accessibility zone of a different level) will not, in itself, be accepted as justification for deviation from the range of acceptable provision”* and therefore no reduction is applicable.
- 7.6.7 The submitted site layout plan as originally submitted showed the parking spaces as per the 2023 permission, i.e. 18 spaces each measuring 2.4m wide and 4.8m long. No disabled spaces were shown. Herts County Council as Highways Authority (HA) advised that this was unacceptable and would not be supported as all spaces must meet the *current* space standards of 2.5m wide and 5m long. This puts the site in conflict with Policy IT5 through being in an identified deficit of 1 space.
- 7.6.8 An amended site plan has been received. However, whilst one space has been enlarged to meet disability standards and all other spaces enlarged to meet current HA’s standards, the result is that the total number of spaces has been reduced to 17 in order to pass the swept path analyses for fire tenders and refuse trucks to gain access to all of the site.
- 7.6.9 Taking account of the above, the site is therefore now identified as being in conflict with Policy IT5 with a deficit of 2 parking spaces.
- 7.6.10 It should be noted that the NPPF states planning permission should only be refused on highway grounds if there would be an unacceptable impact on highway safety, or residual impacts would be severe. In this instance, it is noted that Julians Road has yellow lines which restrict on-street parking and as such there would be no overspill of parking from the site onto Julians Road. Accordingly, a deficit of 2 parking spaces on the site would be unlikely to result in severe impacts to be able to substantiate a refusal. In line with an appeal decision for the same issue (see below), only moderate weight can be applied to the policy contravention.
- 7.6.11 Members should be aware of an appeal that was allowed in Stevenage in 2025 for a two-dwelling development in Vardon Road with zero car parking. Appeal reference APP/K1935/W/25/3362953 against planning reference 24/00893/FP. In allowing the appeal, the Inspector made it clear that the Council’s failure in meeting the HDT score was given significant weight in favour of the development and outweighed any identified harms arising from a deficit in parking spaces, which only carries moderate weight against the proposal.

7.6.12 The HA have reviewed the amended plan and have removed all objections to the proposal as the parking spaces now meet the relevant standards and they are satisfied with the swept path analysis that shows the enlarged spaces can be accommodated safely.

Disabled Parking

7.6.13 The provision of 1no. disabled space meets the required standards of the Parking provision SPD.

Visitor Spaces

7.6.14 Visitor spaces are required at a standard of 0.25 spaces per dwelling, however, as the parking is unallocated then additional visitor spaces are not required on this site. It is for the owner of the site, or their appointed management company, to monitor and control on-site parking as the site will be privately owned.

EV Charging

7.6.15 The Parking Provision SPD (2020) requires all new parking spaces for new dwellings to be designed to fulfil a Passive Electrical Vehicle Charging Point standard. This will mean that the underlying infrastructure is provided for connection to the electricity network, but it will need to be activated through the installation of a charge point to be used in the future as technologies evolve and uptake increases. This can be secured with a suitably worded condition.

Cycle Storage

7.6.16 Policy IT5 of the Local Plan (2019) also requires developments to provide secure cycle parking provision in line with the Parking Provision SPD (2025). The recently adopted SPD requires one cycle parking space per bedroom. The submitted plans show that there is a cycle storage area within the curtilage of each property which is considered acceptable. No details have been provided on the extent of the storage although this can be secured via a condition.

Highway Safety

7.6.17 The application is accompanied by a Transport Statement (TS). It is noted that the TS makes reference to the site becoming a 40-bedroom HMO site and that local residents have raised substantial concerns in this regard. This statement is a typing error on the part of the company writing the TS. The submitted plans upon which any decision will be based, show that the proposal is actually for 6no. five-bedroom HMOs which amounts to only 30 bedrooms.

7.6.18 The TS confirms that the Crashmap database identifies no personal injury traffic collisions have occurred at or in the vicinity of the proposed site access in the period 2020 to 2024, however, there are four recorded 'slight' incidents at the Julians Road/Lytton Way Junction. Taking this further, the TS studied data back to 2000 and found no incidents at or in the vicinity of the site access.

7.6.19 In terms of trip generation, the submitted TS has provided multiple tables for differing residential uses on the basis that there are no model datasets for HMOs and further reviewed car ownership levels of differing residential types. The overall conclusion is that approximately 26% of flats in the area local to the application site do not own a car and, given that HMOs generally attract lower income or single persons, car ownership is expected to be lower than other types of residential uses. The non-car accessibility of the

site with excellent cycle route options would see a greater uptake in sustainable travel options. Therefore, of the potential +53 trips compared to the previously approved 6no. residential units, the TS assumes that approximately 75% would likely use sustainable transport options. The TS concludes that the trip generation is unlikely to differ significantly from that of the previously approved dwellings.

7.6.20 The HA have reviewed the application and raised no concerns or objections to the TS and have raised no concerns to the proposal in terms of highway safety.

7.6.21 At the time of writing, final comments from the HA are outstanding in regard to the acceptability of the parking spaces, but given that the LPA is the parking authority, comments in this regard are not required to proceed with a determination of the application. Comments from the HA will be presented to the Committee in an addendum report once received.

7.6.22 either no change or a net reduction of 1 vehicle movement in the respective AM and PM peak hours.

7.6.23 Given the aforementioned assessment, and through the use of appropriately worded conditions, the development would be in accordance with the policies set out in the adopted Local Plan (2019), the Council's Parking Standards SPD (2025), the NPPF (2024) and PPG.

7.7 Impact on the Environment

7.7.1 Following consultation with the Council's Environmental Health Section, they do not raise any concerns from a land contamination perspective.

Groundwater

7.7.2 The application site is not located within a Source Protection Zone.

Air Quality

7.7.3 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) 2019 by Stevenage Borough Council identifies that the development site is not located within, or near, an Air Quality Management Area (AQMA).

7.7.4 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

7.7.5 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.

- 7.7.6 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.

Light Pollution

- 7.7.7 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.

- 7.7.8 Turning to the operational side of the development, the dwellings 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. A condition can be imposed to ensure external lighting is not directed towards highways.

7.8 Biodiversity, Ecology and Protected Species

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

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

- 7.8.3 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).

7.9 Other Matters

Sustainable construction and climate change

- 7.9.1 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 polices, CC1 through CC6 which cover a broad range of topics but which, through the partial review and examination in public should be applied flexibly as they may not always be appropriate, and it should be noted that Policy CC1 requires only major planning applications to provide an energy statement.

- 7.9.2 The Council's Design Guide SPD (2025) sets out additional requirements with respect to climate change. The guide states that all developments are required to make efforts to minimise energy usage and to incorporate methods of using renewable energy.
- 7.9.3 The updated site layout plan, 21123-P002-C, includes a climate change statement information box that states the proposed development will be insulated to the relevant Building Regulation standards to reduce heat loss and it will be as airtight as practicable. Fenestrations will be double glazed to maintain internal temperatures and all radiators will be fitted with thermostatic controls. Water usage will be limited through dual flush cisterns and aerated taps with low-capacity bathtubs. Hot water supplies will be fitted with a blending valve to keep maximum temperatures below the main system temperature. Roof voids are to be fitted with 300mm insulation and cavity walls to be filled with 150mm insulation to meet relevant Building Regulations. These measures are all considered acceptable and can be secured via the imposition of a compliance condition should permission be granted.

Waste and Recycling

- 7.9.4 The Design Guide (2025) states provision should be made within new development for the storage and collection of waste from a site. The originally submitted plans showed the use of Euro Bins for each main building that would have been entirely unacceptable for occupiers to move to collection points. Subsequently, the amended layout plan shows that each main building would have storage units for individual household bins.
- 7.9.5 The amended TS includes revised swept path analyses that show that vehicles of a fire tender size can easily manoeuvre around the entirety of the site which would also mean that an SBC refuse vehicle could also manoeuvre around the site.
- 7.9.6 The Council's Environmental Operations team have failed to provide any comments on the application and as such it is considered reasonable and acceptable to impose a condition that requires full details of the storage units prior to the first occupation of the site so that the Council has opportunity to ensure that the storage units are capable of holding the number of bins required. It is noted that no objections were raised to the same set up on the 2023 planning permission.
- 7.9.7 Given the aforementioned, with an appropriate condition in place, suitable refuse and recycle storage facilities can be delivered to meet the criterion set out in the Council's Design Guide SPD (2023).

Community Infrastructure Levy

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

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

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

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

7.10 Matters Raised in Representation

7.10.1 Sewerage and drainage are matters for Building Control.

7.10.2 Concerns regarding the applicant's intentions to create HMOs are not material planning considerations. It should also be noted that the current applicant is not the same applicant as that who submitted the 2023 planning application for single family dwellings.

7.10.3 The application is not of a type that is required to be submitted through Gateway One and therefore a fire strategy/statement is not required.

7.11 Equality, Diversity and Human Rights

7.11.1 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.

7.11.2 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.

- 7.11.3 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.
- 7.11.4 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.
- 7.11.5 In terms of inclusive access, the proposed development incorporates provision for disabled parking spaces in accordance with the Council's Parking Standards (2025). The external areas are designed as shared surfaces for vehicles and pedestrians, removing kerbs and facilitating level access across the site.

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 Council is required to apply the tilted balance by reason of its housing delivery position. Accordingly, Paragraph 11(d) of the NPPF is engaged and the subsequent presumption in favour of sustainable development is a key material consideration in the assessment of this application. This policy position tilts the planning balance in favour of the application.
- 8.2 The proposed development would provide a net increase of 15.6 housing units on the site based on the original site, or a net increase of 9.6 dwellings over the previously approved, and under construction development of 6no. dwellings. This makes a moderate contribution towards meeting the borough's housing needs. This carries significant weight in favour of the proposal. This is due to paragraph 11(d) of the NPPF being engaged. The application has demonstrated that the scheme would be capable of providing a good standard of accommodation.
- 8.3 It has been established that the proposed development accords with Policy HO5 as the site would be located on land which meets the definition of previously developed land as stated within the NPPF (2024). Paragraph 125(c) of the NPPF places substantial weight on reusing brownfield sites and states that proposals should be approved unless substantial harm would be caused.
- 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 moderate and therefore attracts moderate weight in favour of the proposal.
- 8.5 The proposed development would have an acceptable impact on the amenities of neighbouring occupiers, and the collection of waste and recycling is likely to be acceptable; these are neutral matters.
- 8.6 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).

- 8.7 The cycle storage is likely to be acceptable but can be secured via the imposition a condition. Additionally, the Highways Authority have raised no concerns with highway safety. This carries moderate weight in favour of the proposal.
- 8.8 The car parking provision falls short of the required provision by 2 spaces, however, there is no parking on the highways closest to the site so there would be no overflow onto the street and no harm to highway safety in this regard due to Traffic Regulation Orders. Additionally, a failure of policy in this regard carries moderate weight against the proposal and when taken in context of the weight afforded to the delivery of much needed smaller units, does not warrant a refusal on this basis.
- 8.9 Given the weight attached to housing delivery under the presumption in favour of sustainable development, officers consider that the benefits of redeveloping a sustainably located brownfield site for much needed smaller homes outweigh the harm arising from the deficit of 2 parking spaces, noting also that the development remains liable for CIL and is acceptable in all other matters.
- 8.10 On balance, while the lack of 2 parking spaces weighs against the proposal, the significant public benefits arising from the delivery of housing in a sustainable location, combined with the weight attributed to the HDT position, are considered to outweigh the identified harms.
- 8.11 In conclusion, whilst the proposal has been assessed to contravene policy through failures of car parking provision, it is considered that the public benefits identified through the delivery of 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 conditions set out below and delegated authority be given to the Director of Planning and Regulation in consultation with the Chair of the Planning and Development Committee, to amend or add to the conditions subject to which the permission would be granted, where such amendments or additions would satisfy the relevant national policy tests and would most effectively deliver the development which the Committee has resolved to approve.

SUBJECT TO THE FOLLOWING CONDITIONS/REASONS

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
Site Location Plan; 21123-P001-B; 21123-P002-C;
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 demolition or construction work relating to this permission that are audible at the site boundary shall be carried out on any Sunday, Public or Bank Holiday nor at any other time, except between the hours of 07:30 18:00 on Mondays to Fridays and between the hours of 08:30 and 13:00 on Saturdays.

REASON:- To safeguard the amenities of the occupiers of neighbouring properties.
- 4 The development hereby approved shall be constructed in accordance with the measures to address adaptation to climate change as laid out on approved plan 21123-P002-C.

REASON:- To ensure the development is adaptable to climate change through provision of energy and water efficiency measures.
- 5 Prior to the first occupation of the dwellings hereby permitted the access, turning and parking provision, as shown on approved plan 21123-P002-C, shall be constructed, hardsurfaced and made ready for use. The parking areas shall be constructed in a porous material or provision shall be made for a sustainable urban drainage system (SuDS) to be built into the hardsurfaced areas. Once provided the parking facilities shall be retained in that form and thereafter be used for the parking of vehicles only.

REASON:- To ensure that adequate parking and servicing facilities are available within the site and to prevent surface water from passing onto the public highway which may be detrimental to highway safety.
- 6 Prior to the first occupation of the HMOs hereby permitted, details of the cycle storage spaces shall be submitted to, and approved in writing by, the Local Planning Authority to ensure that each HMO can provide 6 storage spaces. The cycle storage shall be in accordance with the requirements of the Parking Provision Supplementary Planning Document (2025) and shall be retained and maintained accordingly for the lifetime of the development.

REASON:- To ensure that adequate cycle parking is provided in accordance with the Council's adopted supplementary planning.
- 7 Prior to the first occupation of the dwelling hereby permitted, details of the waste and recycling storage shall be submitted to, and approved in writing by, the Local Planning Authority. Scaled plans and written specifications to illustrate that the storage areas can be accessed within 30m of each dwelling and within 25m of the kerbside collection point. The storage shall be retained and maintained accordingly during the lifetime of the development.

REASON:- To ensure that adequate storage is provided for waste and recycling in accordance with the Council's adopted supplementary planning documents.
- 8 Prior to the occupation of the dwellinghouses hereby permitted, the parking spaces shown on approved plan 21123-P002-C, shall be provided with the underlying infrastructure for connection to the electricity network to enable them to be served by an electric vehicle charging point.

REASON:- To ensure construction of a satisfactory development and to promote sustainable development.
- 9 Prior to first occupation of the development hereby permitted, all dwellings which exceed a 45m distance from the access point on the public highway where a fire appliance will stop must be fitted with a sprinkler system.

REASON:- To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

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

- 1 Planning permission has been granted for this proposal. The Council acted proactively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework (paragraph 38) 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 Environmental Health HMO Requirements

Where a property will be occupied as a House in Multiple Occupation by five or more persons, an application to the Council for a HMO Licence must be made in accordance with Section 63 of the Housing Act 2004. Further information on the Council's fire precautions and amenity standards for HMOs, and how to apply for a HMO licence, can be accessed via the Council's website at:

www.stevenage.gov.uk/housing/private-sector-housing/house-in-multiple-occupation.

It is recommended that the Council's Environmental Health team are contacted to arrange an inspection of the property either prior to, or at an early stage of, conversion works, to confirm what works would be required to ensure that the property is compliant with the Council's HMO standards.

7 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.

8 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.

9 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 Hertfordshire County Council as Highways Authority

Roads to remain private: The applicant is advised that all new roads associated with this development will remain unadopted and the developer should put in place a permanent arrangement for long term maintenance. At the entrance of the new estate the road name plate should indicate that it is a private road to inform purchasers of their future maintenance liabilities. Further information is available via the website:

www.hertfordshire.gov.uk/services/transtreets/highways/ or by telephoning 0300 1234047.

10. BACKGROUND DOCUMENTS

- 1 The application file, forms, plans and supporting documents having the reference number relating to this item. Online copies may be obtained at <https://publicaccess.stevenage.gov.uk/online-applications/>
- 2 The Stevenage Borough Local Plan 2011-2031
<https://www.stevenage.gov.uk/planning-and-building-control/planning-policy/local-plan>
- 3 The Stevenage Borough Local Plan Partial Update 2025
<https://www.stevenage.gov.uk/planning-and-building-control/planning-policy/local-plan-partial-update/submission-to-secretary-of-state>
- 4 Stevenage Borough Council Supplementary Planning Documents: Parking Provision SPD 2025; Design Guidance SPD 2025; Developer Contributions SPD 2025.
<https://www.stevenage.gov.uk/planning-and-building-control/planning-policy/planning-library>
- 5 Hertfordshire County Council Local Transport Plan LTP4 2018-2031
<https://www.hertfordshire.gov.uk/media-library/documents/about-the-council/consultations/ltp4-local-transport-plan-4-complete.pdf>
- 5 Government advice contained in the National Planning Policy Framework 2024 and the Planning Practice Guidance.

https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf

<https://www.gov.uk/government/collections/planning-practice-guidance>

- 7 Representations made by statutory consultees and other interested parties referred to in this report. Online copies can be found on Public Access.