

**Meeting:** Planning and Development Agenda Item:  
Committee

**Date:** 4 June 2026

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**Application No :** 25/00907/FPM

**Location :** 45 Manor View Stevenage

**Proposal :** Demolition of existing care home (Class C2) building and erection of 10 no. dwellings (Class C3) comprising a pair of 2-storey semi-detached houses and three storey block of 8 no. flats along with associated works and landscaping.

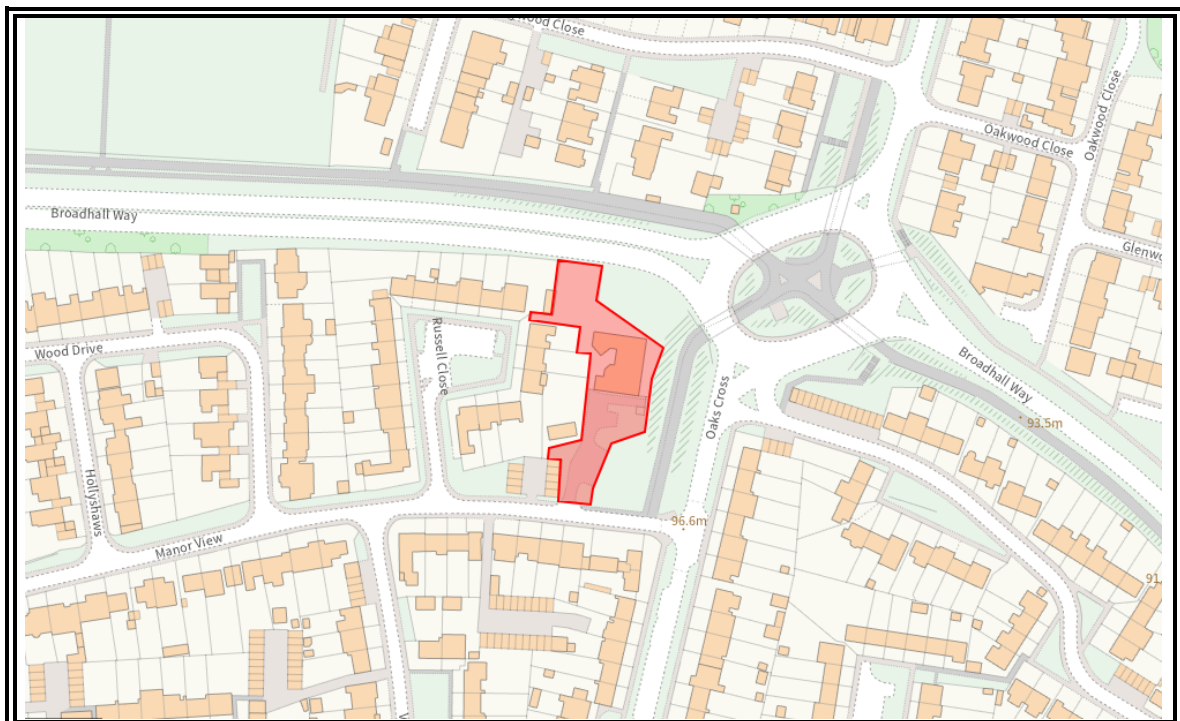
**Drawing Nos.:** 2161-PL01; 2161-PL03; 2161-PL04; 2161-PL05; 2161-PL06A; 2161-PL07A; 2161-PL08A; 2161-PL09A; 2161-PL11; 2161-PL02B; 2161-PL10B; B24063-101B;

**Applicant :** Hightown Housing Association

**Agent:** Barker Parry Town Planning Ltd

**Date Valid:** 23 December 2025

**Recommendation:** **GRANT PLANNING PERMISSION**



## **1. SITE DESCRIPTION**

- 1.1 The application site comprises a vacant building which previously operated as an 8-bedroom care home that provided personal care to people with a learning disability or autism. Since 2023 the site has been leased by the applicant to a private provider, but this lease ceased in December 2025, and the site has been vacant since then.
- 1.2 The site is located on a prominent corner position at the junction of Oaks Cross and the A602 Broadhall Way, which is formed of a large roundabout with pedestrian and cycle subway access. Manor View is a small residential road accessed off Oaks Cross to the south of the site. The site sits slightly proud of the finished highway level due to grass banks between the site, foot/cycleway and vehicular highway edge. This does provide a good separation of the site from the highway, which is tree lined. The site area is approximately 1,970sqm with 917sqm of hard landscaping and 1,052sqm of soft landscaping.
- 1.3 The site is fairly open with boundary treatments only visible around the private amenity space to the north of the existing single storey buildings. To the north, the site sits around and abuts an area of green open space which fronts the roundabout and provides a green break between the built form of properties off Manor View and the A602 dual-carriageway.
- 1.4 This area of Broadwater is predominantly residential in character with two storey post war semi-detached and terraced housing visible. The site itself is occupied by a single storey buff coloured brick building with a dual pitched tiled roof.

## **2. RELEVANT PLANNING HISTORY**

- 2.1 11/00511/TPTPO Crown reduction of 10% and reduce lower laterals of 1no. Willow tree (T9) and removal of 4no. Ash trees (T1, T2, T3 & T4) protected by TPO52 28.10.2011. Tree consent granted.
- 2.2 18/00233/TPTPO Pollard 1no. Willow tree (T9) protected by Tree Preservation Order 52 04.06.2018. Tree consent granted.

## **3. THE CURRENT APPLICATION**

- 3.1 This application seeks planning permission for the demolition of the existing vacant care home (Class C2) building and erection of 10 no. dwellings (Class C3) and associated landscaping, car parks and access arrangements.
- 3.2 The scheme would provide 2no. three-bedroom dwellinghouses and 8no. one-bedroom flats in a three-storey building.
- 3.3 The application comes before the Planning Committee as it is classified as a major application through the provision of 10 residential units.

## **4. PUBLIC REPRESENTATIONS**

- 4.1 Following notification of the application via letters, the publication of a press notice and the erection of site notices, 9no. public representations have been received.
- 4.2 A summary of the comments received are set out below:
  - Lack of parking
  - Possibly a fox burrow on the site
  - Inadequate neighbour and community consultations

- Developer only offered one day for their consultation
- Site was not vacant at time of submission (December 2025)
- Proposed dwellings too close to existing dwellings
- Scale not in keeping with the area
- Believe there are bats in the area
- Swift bricks should be conditioned
- Will devalue surrounding houses
- Loss of light and shadowing
- Noise and disturbance from increase in residents
- Overdevelopment of the site
- Covenants on site to remain as care home
- Number of cycles is acceptable but storage design is not.

4.3 The aforementioned is not a verbatim copy of the objections which have been raised. A copy of all representations that have been received can be viewed on the Council's website.

## **5. CONSULTATIONS**

### **5.1. UK Power Networks**

5.2. Please note there are LV underground cables on the site running within close proximity to the proposed development. Prior to commencement of work accurate records should be obtained from our Plan Provision Department

### **5.3. Thames Water**

5.4. Waste Comments: Public sewers are crossing or close to your development. Build over agreements are required for any building works within 3 metres of a public sewer and, or within 1 metre of a public lateral drain. The proposed development is located within 15 metres of our underground wastewater assets and as such we would like an informative attached to any approval granted. With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Thames Water would advise that with regard to WASTEWATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided. Water Comments: With regard to water supply, this comes within the area covered by the Affinity Water Company.

### **5.5. Affinity Water**

5.6. We have no comments to make on this application.

### **5.7. Herts County Council Minerals and Waste Team**

5.8. The Waste Planning Authority would expect to see a SWMP prepared to support this application. The SWMP must be prepared and agreed in consultation with the Waste Planning Authority prior to commencement of the project. The SWMP must be implemented throughout the duration of the project, from initial site preparation works to final completion of the construction phase.

### **5.9. SBC Environmental Health**

5.10. The development site is situated adjacent to a busy road and therefore is subject to relatively high levels of noise. This local noise climate is recognised by the Acoustical

Investigation & Research Organisation Limited (AIRO) in its Acoustic Design Statement (reference DLW/7553/A, dated 7/11/2025). The main conclusion of this report is that, with robust mitigation measures, the site is capable of residential redevelopment of the kind set out in the application.

- 5.11. I broadly agree with this but note that the detailed noise mitigation measures and approach to overheating and ventilation have yet to be finalised. In light of this I believe that a condition, should the LPA be minded to authorise the application, would be a reasonable way of ensuring that the future residents of the scheme are adequately protected from transport noise.
- 5.12. This proposal may engage Local Plan Policy FP5 if the LPA considers that it amounts to redevelopment of a brownfield site. If so, the application is not accompanied by a Preliminary Risk Assessment (PRA) concerning soil contamination and/or the mitigation measures necessary to render the site safe as regards a range of receptors. Notwithstanding, I believe the risks associated with the proposals are modest and so I suggest a condition is imposed.

### **5.13. SBC Arboricultural Manager**

- 5.14. I have now had the chance to carefully review this application and can confirm that I have no objection to the proposed development from an arboriculture viewpoint. However, there is a concern, regarding the amount of sunlight available for the south facing ground floor flats, which will be built in the shade of trees T4-T6. BRE 209 suggests that a living room should be able to receive a minimum of 2 hours of sunlight a day on 21 March. My question is whether this would be achievable and, if not with the current layout, would any pruning (perhaps crown reductions) be needed to accommodate this recommendation?

### **5.15. Herts County Council as Highways Authority**

- 5.16. 15<sup>th</sup> January 2026: Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority recommends that permission be refused for the following reasons: Para 3.3.1 of the Transport Note (TN) says that the exiting access will be improved by reducing its radii which is shown the drawing (Ref-R-24-0123/Hy01) The proposed access arrangement is substandard in terms of its width. It shows the access radii is 5m and width is 4.1m which is below of standard width 5.5m and this will limit a two-way vehicle movements. A swept path analysis for 11.2m long refuse collection vehicle (RCV) is shown on the drawing (Ref-R-24-0123/SP-02). The proposed size of RCV is substandard comparing to the current strand RCV which 12.2m long. The applicant is advised submit a swept path analysis for 12.2m long refuse vehicle and consider parked cars onto Manor View. 3.Construction Traffic Management Plan: A construction traffic and Management plan should be submitted in the context of Logistics and Community safety standards (See [www.CLOCS.org.uk](http://www.CLOCS.org.uk)) for further details.
- 5.17. 19<sup>th</sup> February 2026: based on the current submission, the highway authority considers that several significant concerns remain, • Substandard site access design. • Absence of adequate pedestrian footways. • Unsafe or unverified refuse vehicle movements and impacts on highway safety. These issues must be resolved before a positive recommendation can be considered. I am happy to discuss these matters further in person or online.
- 5.18. 9<sup>th</sup> April 2026: The Highway Authority is content in principle with the proposed access arrangement, which has been designed as a Copenhagen Crossing in order to prioritise active travel and improve pedestrian and cycle accessibility. Notwithstanding this, the

applicant is advised that the access improvements will need to be delivered via a minor Section 278 agreement with the Highway Authority to ensure the works are implemented safely and to the required adoptable standards. It is proposed that refuse collection will be undertaken from Manor View, which is considered to be acceptable in highway safety and operational terms. The scheme also proposes the provision of 14 car parking spaces, which is considered satisfactory and in accordance with the LPA's current parking standards. In respect of sustainable transport contributions, Stevenage Borough Council (SBC) is a Community Infrastructure Levy (CIL) charging authority. Accordingly, the Highway Authority will seek a CIL contribution of £96,810.00 (10 × £9,681) towards improvements to SBC's Local Cycling and Walking Infrastructure Plan (LCWIP) – Route 4, to be secured via the appropriate CIL process in due course.

#### **5.19. Herts County Council Adult Care Services**

5.20. Adult Care Services (ACS) have now had a conversation with Hightown and it appears that the application does not relate to supported living – this was an error in the planning documents. As such, ACS has no comments to make in relation to this application.

#### **5.21. Herts County Council Growth and Infrastructure Unit**

5.22. Based on the information to date for the development of 10 dwellings we would seek financial contributions towards the following projects: Secondary Education Contribution towards new secondary education provision at the former Barnwell East site/ land at Redwing Close and/or provision serving the development (£34,824) index linked to BCIS 1Q2024 and BCIS Regional Factor).

#### **5.23. Herts County Council as Lead Local Flood Authority (LLFA)**

5.24. We object to this planning application in the absence of an acceptable Flood Risk Assessment and Drainage Strategy: BRE365 Infiltration testing; FEH13 or FEH22 data should be used in rainfall scenarios; greenfield, brownfield and post development discharge rates are required; resilience measures are required; existing drainage network locations required; SuDS required; how biodiversity pillars of Suds has been addressed; storage rates; drainage layout plans required.

#### *Officer response*

5.25. At the time of writing this report, the applicant was seeking to address the points raised by the LLFA. If updated comments are received prior to the meeting and/or the drainage strategy is agreed an update will be provided, otherwise it is anticipated Members will agree to delegate powers being granted to the Director of Planning and Regulation to impose any conditions advised on any response provided after the committee meeting. However, it should be noted the LLFA does not object to the principle of the drainage strategy.

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

## **5.27. SBC Ecology Officer**

5.28. If off-site units are required to achieve the 10% gain, the following additionally must be submitted: A certificate or gain site number for off-site habitat units once the appropriate amount has been purchased; An updated complete statutory metric including on-site and off-site habitat baseline and post-development.

## **5.29. SBC Green Spaces Manager**

5.30. I have no objections to the proposals in principle; however, to support a more robust assessment, we will need further detail on the proposed planting palette, specifications, and ongoing maintenance arrangements/strategy. I have not been able to locate this information within the submission, and without it, it's difficult to fully consider the suitability and long-term viability of the landscaping proposals. Given this, it would be advisable to secure these details through an appropriate condition to ensure they are addressed at the next stage.

# **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 21<sup>st</sup> 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 SP11: Flooding, and pollution;

Policy SP12: Green infrastructure and the natural environment;

Policy IT4: Transport assessments and travel plans;

Policy IT5: Parking and access;

Policy IT6: Sustainable transport;  
Policy HO5: Windfall sites;  
Policy HO7: Affordable housing targets;  
Policy HO8: Affordable housing tenure, mix and design;  
Policy HO9: House types and sizes;  
Policy HO11: Accessible and adaptable housing;  
Policy GD1: High quality design;  
Policy FP1: Sustainable drainage  
Policy FP2: Flood risk and management  
Policy FP7: Pollution;  
Policy FP8: Pollution sensitive uses;  
Policy NH5: Trees and woodland.

- 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 Local Plan Partial Review and Update**

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

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

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

## **6.8 Supplementary Planning Documents**

- 6.8.1 The following supplementary planning documents are relevant to determining the application:
- Parking Provision Supplementary Planning Document (February 2025);
  - Stevenage Design Guide Supplementary Planning Document (February 2025);
  - Developer Contributions Supplementary Planning Document (February 2025);

## **6.9 Community Infrastructure Levy**

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

## **7. APPRAISAL**

7.1 The main issues in the assessment of the application are the principle of development, affordance housing and planning obligations, design and visual impact, impact on residential amenities, biodiversity, landscaping and ecology, and car parking and highway safety.

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 proposed site is undesignated in the adopted Stevenage Borough Local Plan 2011-2031 (2019) and is not allocated for residential development within the Local Plan. As such, the site is therefore regarded as a 'windfall site'.

7.2.3 Policy SP7 of the adopted local plan sets a strategic target of 7,600 homes to be provided within the borough over the plan period from 2011 to 2031. The emerging partial update of the local plan identifies that 4,956 of these homes remain to be delivered as of 2024. However, the overall target remains unchanged, and the proposed development would make a small but nonetheless positive contribution to meeting this target.

7.2.4 The spatial strategy for housing also remains unchanged; the majority of the planned new housing will be delivered on regeneration sites in the town centre and in urban extensions to the north, west and south-east of the town, with a sizeable minority delivered on smaller housing sites spread throughout the borough. An allowance is also made for residential development coming forward on sites not specifically allocated for any purpose in the local plan, referred to as "windfall" sites.

7.2.5 In this case, the application site is not designated for any particular purpose in the local plan. The proposed development is therefore treated as windfall development. Updated Policy HO5 of the Local Plan (2019) (windfall sites) stipulates that proposals should be on previously developed land, or an underused urban site and should not prejudice the Council's ability to deliver residential development on allocated sites. The updated Policy carries significant weight. Whilst the proposed development comprises partially previously developed land, the site as a whole could be considered to be an under-used urban site. There are no allocated sites nearby that would be detrimentally impacted by the proposal.

7.2.6 Chapter 11 of the NPPF stipulates that decisions should promote the effective use of land, and under paragraph 125(d) it promotes and supports the development of under-utilised land and buildings to meet identified needs. As the application is redeveloping an under-utilised, brownfield site and will be delivering dwellings of an identified need then this weighs in favour of the development and carries great weight. As such, the proposal is considered to comply with this Policy.

- 7.2.7 Updated Policy SP2 (Sustainable Development) carries significant weight in the Local Plan Review and states residential developments must have a good level of access to local facilities. The site is located approximately 220m from the Local Centre on Oaks Cross as identified under Policy HC1. The site is also easily accessible to public transport as there is a bus route along Oaks Cross to the south. Additionally, access to the Town's substantial cycle network is less than 30m from the site entrance. As such, the application site is considered to have excellent access to local facilities and alternative forms of travel to the private car and, therefore, deemed to be within a sustainable location.
- 7.2.8 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. Policy HO9 (House types and sizes) of the Local Plan (2019) (No change to this policy under the Local Plan Partial Update) states that there is a structural imbalance in the existing housing stock (albeit in a limited manner) whereby there is a lack of smaller properties and larger aspirational homes in the Borough.
- 7.2.9 The Design Guide SPD (2025) outlines that housing is an area of weakness across the town. One of the main issues is the lack of an appropriate mix of housing sizes, types, and tenures with a high proportion of three-bedroom terraced properties, and a lack of one- and two-bedroom properties. The lack of housing mix is exacerbated by changes in demographics leading to an increase in the number of single person households and couples needing homes.
- 7.2.10 Due to growth requirements for the town, there is a need to provide a substantial number of additional homes in Stevenage, and in particular, smaller dwellings or larger aspirational dwellings. Higher density development is set out as a key requirement of national guidance, and, where appropriate, densities will need to be raised in order to meet these targets for new homes.
- 7.2.11 The proposal seeks to provide 2no. three-bedroom semi-detached dwellings and 8no. one-bedroom flats. As such the proposal is considered to accord with Policy HO9 as it would mostly provide smaller dwellings which are an identified need.
- 7.2.12 Paragraph 61 of the NPPF (2024) states that to support the Governments objective of significantly boosting housing supply, it is important that a sufficient amount, and variety, of land comes forward where it is needed, that the needs of groups with specific housing requirements are met, and that land with permission is developed without unnecessary delay. In addition, para 61. of the NPPF states that the overall aim should be to meet as much of an area's identified housing need, including with an appropriate mix of housing types for the local community. As such, the proposed development would contribute to the aim of boosting housing supply without compromising the delivery of housing on allocated sites.
- 7.2.13 In summary, whilst the Council is currently able to demonstrate a five-year supply of deliverable housing sites, due to the under-delivery of housing as identified in recent HDT scores, paragraph 11(d) of the NPPF is engaged as there is a presumption in favour of delivering sustainable development. Consequently, this is considered to be a key material consideration in the assessment of this application.
- 7.2.14 The proposed development would contribute to the aim of boosting housing supply as required by the NPPF without compromising the delivery of housing on allocated sites or placing an undue burden on local infrastructure. There would be some economic benefit during the construction phase, and future occupiers would be likely to contribute to local services and facilities. Given the quantum of development (10 units), it is considered that

these benefits would be substantial and therefore attracts significant weight in favour of the proposal.

7.2.15 On balance, having regard to all the policy considerations laid out above, the proposed development is considered to be acceptable in principle.

### **7.3 Affordable Housing and Planning Obligations**

7.3.1 Policy HO7 of the adopted Local Plan (2019) stipulates that planning permission would be granted for residential development which would maximise affordable housing provision. Taking this into consideration, there is a requirement to provide 25% of new homes to be affordable on previously developed sites. In this regard, there would be a requirement to provide 2.5 affordable units, rounded up to 3 units.

7.3.2 Turning to affordable housing tenure, mix and design, Policy HO8 states that planning permission will be granted where those dwellings:

- a) Are provided by the developer on site with at least 70% of the units being for rent and the remainder consisting of other tenures which is to be agreed with the Council's Housing team;
- b) Meets the requirements of Policy HO9 (House types and sizes);
- c) Are physically indistinguishable from other types of homes and are distributed across the site to avoid over-concentration in particular; and
- d) Will remain at an affordable price for future eligible households.

7.3.3 Paragraph 66 of the NPPF also advises on affordable housing tenure and mix, stating 'where major development involving the provision of housing is proposed, planning policies and decisions should expect that the mix of affordable housing required meets identified local needs, across Social Rent, other affordable housing for rent and affordable home ownership tenures.

7.3.4 In regard to affordable housing delivery, the Council's five-year land supply includes the provision of a number of affordable housing units. The Housing Technical paper (2024) advises that that the Strategic Housing Market Assessment (SHMA) 2023 concluded the current unmet need for affordable housing totals 1,612 households. This is made up of households in Stevenage that are currently living in unsuitable housing and are unable to afford their own housing.

7.3.5 Of these households, 802 currently occupy affordable housing that does not meet the household's current needs. There is, therefore, a current need from 810 households in Stevenage that currently need affordable housing and do not currently occupy affordable housing. In addition, the SHMA assessment concludes there is an additional 110 households annually needing affordable housing in Stevenage. A further 312 households have then been identified as households that can afford market rents but aspire to home ownership. The Council's most recently published affordable housing need is therefore represented below –

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

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

7.3.6 This is also reflected in the appeal decision letter for Land West of Lytton Way appeal with respect to the under delivery of affordable homes whereby the inspector states (para. 87) and quote

*“I have been referred to other schemes which have been granted planning permission or it has been resolved that planning permission should be granted. In these schemes, for one reason or another, affordable housing provision has been lower than the expected policy figure of 20%. Indeed 52 homes would equate to over 17% of the affordable housing that has been delivered thus far in the Local Plan period. In these circumstances of poor delivery of affordable homes and with sizeable unmet need for such housing, I give the provision of affordable housing significant weight”.*

7.3.7 Paragraph 58 of the NPPF states that planning obligations must only be sought where they meet all the following tests, as contained in Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010.

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

7.3.8 Paragraph 59 of the NPPF states where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable.

7.3.9 To be policy compliant, the development would need to provide 25% affordable housing provision based on policy HO7. The applicant is proposing 3 affordable units, delivered as affordable rent which are to be secured through a s.106 legal agreement. The application is therefore considered to be fully compliant with the affordable housing policies and is acceptable in this regard. If planning permission were to be granted for this development, the affordable housing the development would provide is deemed to be a significant benefit.

#### Other Financial Contributions

7.3.10 Financial contributions are also required in line with the Developer Contributions Supplementary Planning Documents (2025). In this regard, only a contribution to be made towards the Local Training Fund if target employment of Stevenage residents is not met as follows:

- £4,000 per number of targeted jobs not filled by Stevenage residents;
- £2,000 per number of targeted apprenticeships not filled by Stevenage residents or students; and
- £500 per apprenticeship position as an administrative fee towards the brokerage system to fill apprenticeship positions;

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

7.3.11 These targets do not add a requirement for additional jobs that would add a financial burden to the developer or contractor. The targets merely add a requirement that a portion of the jobs will be targeted to local residents. The in-lieu payments do not add a significant financial burden to the developer or contractor and will only be required if the developer or contractor does not meet the employment targets.

7.3.12 The Developer Contributions SPD (2025) also has a requirement for fees to be paid to cover the monitoring of legal agreements. This cover requesting payments, ensuring transfer and/or expenditure of money and keeping/publishing records of contributions in line with regulations. The Council will seek 5% of the value of contributions being monitored with a minimum fee of £1000.00 and a cap of £50,000.00. This is considered a fair cost that will reflect the value of the legal agreement and will not affect the viability of a scheme being delivered.

7.3.13 Hertfordshire County Council Growth and Infrastructure Team have assessed the proposal and based on the provision of 10 dwellings, is requesting £34,824.00 towards new secondary education provision at the former Barnwell East site/land at Redwing Close and/or provision serving the development (index linked to BCIS 1Q2024). Furthermore, monitoring fees for each trigger within the legal agreement will attract a charge of £420 (adjusted for inflation against RPI January 2024) per trigger point.

7.3.14 The applicant has confirmed agreement to the aforementioned contributions which are being sought by the Borough Council and County Council. As such, should the committee be minded to grant planning permission, these contributions would also be secured as part of any s.106 legal agreement.

## **7.4 Design and visual impact**

### **Policy Background**

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

7.4.2 Policies SP8 and GD1 of the Local Plan Partial Review (2024) are deemed to carry significant weight, this is because they generally reflect the good design principles outlined in the NPPF and National Design Guide, i.e., that these policies require developments to 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.

- 7.4.3 The proposed semi-detached dwellings would be located to the rear of No. 15 Russell Close whilst the three-storey flatted element would be sited on the location of the existing building.
- 7.4.4 Looking first at the pair of semi's, the area is well characterised by semi-detached and terraced dwellings of brick walls and plain tiled roofs. They are designed and oriented to utilise good use of the land to the north of the site as rear gardens, and sites the dwellings at an angle away from existing properties to help with outlook, etc. The simple architecture is in-keeping with the area and does not propose to introduce houses which would sit at odds with the wider area. They would be constructed in brown multi blend brickwork with grey concrete tiled pitched roofs.
- 7.4.5 The three-storey flat roof flatted building would see an increase in built form over the existing single storey building. However, Government Policy as defined in the NPPF encourages development proposals to make effective use of land. Consequently, the proposal would align with this overall policy objective. The flat block would be constructed in multiple material choices including, red multi blend brickwork, buff brickwork, brown multi blend brickwork, and light grey zinc vertical cladding.
- 7.4.6 Local vernacular is predominantly buff or red multi bricks, but the use of differing materials is not considered to be harmful to the visual amenities of the area and will instead add architectural interest and character to this prominent focal point site.
- 7.4.7 It is accepted that a three-storey flat roofed building is visually different to the two-storey pitched roof terraced dwellings which are prevalent in this neighbourhood area. However, the area does contain some examples of flat roof buildings and therefore, a taller flat roofed building is not entirely out of keeping with the character of the area and the use of high-quality materials and a modern, contemporary design will add interest to views along Oaks Cross and Manor View and create a flagship building on this prominent corner location as you enter Oaks Cross.

#### Accessible and adaptable housing

- 7.4.8 Policy HO11 of the Local Plan (2019) requires at least 10% of dwellings within major residential dwellings to comply with optional standard M4(3) for wheelchair users, with a further 40% complying with optional standard M4(2) for accessible and adaptable dwellings.
- 7.4.9 The submitted Design and Access Statement advises that the pair of semi-detached dwellings have been designed to M4(2) standards and all 8 flats are designed to M4(2) enhanced accessibility standards, however, as a passenger lift is not included in the building, the upper floor flats are not readily accessible by wheelchair users despite the flats themselves being designed to accommodate wheelchair users.
- 7.4.10 Accordingly, the application is considered to meet the requirements of Policy HO11 as 2 dwellings and 3 flats are accessible which is 50% of the quantum of development.

### **7.5 Impact on Neighbouring residential amenity**

#### Policy Background

- 7.5.1 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.

### Outlook and Privacy

- 7.5.2 The relationship between the semi-detached dwellings and the dwellings in Russell Close is off-set, and more akin to back to side orientation. In this regard, the Design Guide SPD (2025) requires at least 15m between the two buildings. The main rear elevation is angled away from the Russell Close dwellings but the recessed element that is closest to No.15, is approximately 15m. The main rear elevation is approximately 20m from the side of No.14 Russell Close and this neighbour has no windows in their side elevation at first floor and only a door at ground floor level. In this regard the separation distances are considered acceptable to minimise impacts from overlooking or loss of privacy.
- 7.5.3 The front of the dwellings would face the flatted block, which has no clearly defined front, side or rear elevation, as all façades comprise habitable room windows. The buildings would be separated by approximately 10m, resulting in upper floor relationships where bedrooms and living spaces face one another.
- 7.5.4 This separation distance falls below the guidance typically set out in the Council's Design Guide SPD (2025) and therefore has the potential to give rise to some adverse impacts in respect of outlook and privacy between the two elements of the scheme. However, the SPD is intended to be applied flexibly, particularly in constrained urban environments, and does not prescribe minimum distances as absolute requirements.
- 7.5.5 In such contexts, reduced separation distances are not uncommon, and Policy GD1 acknowledges that a degree of adverse impact may arise, with refusal only justified where those impacts would be unacceptable. Having regard to the site's constraints, the urban character of the area, and the overall layout of the scheme, it is considered that any impacts arising would be limited and would not result in an unacceptable level of harm. As such, the relationship is considered to fall within acceptable parameters for this form of development.
- 7.5.6 The front of the flat block is in excess of 25m from the rear elevations of the dwellings in Russell Close which is considered acceptable.

### Sunlight and Daylight

- 7.5.7 In terms of sunlight and daylight, due to the siting of the flat block and semis being to the east and with additional storeys to the existing bungalow, there may be some level of shadowing in the rear gardens of the existing properties off Manor View. However, the distance of the proposed buildings from the boundary is such that this is likely to be minimal and would only occur for a limited time in the morning and likely only affecting the bottom end of the gardens. The proposals would not therefore have a significant detrimental impact on the level of sunlight or daylight which is currently enjoyed by existing properties.

## **7.6 Impact Upon Amenities of Future Residents**

- 7.6.1 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”.

- 7.6.2 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*”.

#### Internal Living Standards

- 7.6.3 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. These policies state that planning permission will be granted where the proposed scheme, under criterion j. meets the nationally described space standards. Appendix C of the Local Plan (2019) sets out the minimum gross internal floor space standards for dwellings which is in line with the Government’s nationally described space standards. Through the Local Plan Review, these policies now carry significant weight.

- 7.6.4 The semi-detached dwellings are three-bedroom, 5 persons and are 99.6sqm and 100.6sqm which both exceed the minimum requirement of 93sqm and are therefore acceptable. Further, all bedrooms exceed the minimum 7.5sqm for a single and 11.5sqm for a double.

- 7.6.5 The flats are one-bedroom, 2-persons and are between 50.6sqm and 55.6sqm which all exceed the minimum requirement of 50sqm. Again, all bedrooms meet the minimum space standards for double rooms.

#### Private amenity space

- 7.6.6 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 and that flatted developments should have a communal space of 50sqm for the first 5 flats and 10sqm for each additional flat.

- 7.6.7 The dwellings have over 150sqm each and whilst there are no demarcated private communal areas, each flat has a private balcony of at least 4.5sqm with a fully landscaped site that offers a good quality external space for additional use by residents if they choose. Further, the site is within walking distance of Shephalbury Park and Ridlins Athletic Track, such that the site has easy access to excellent public open space to mitigate the lack of private communal space on site.

#### Noise and Pollution

- 7.6.8 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.

7.6.9 The application has been reviewed by Environmental Health who raised no concerns or objections subject to a condition requiring the submission of a noise impact assessment that confirms the development, as built, conforms to the residential noise standards in the habitable rooms. The applicant has agreed to this condition.

7.6.10 Whilst comments from local residents regarding an increase in the number of residents causing noise and disturbance issues are noted, any issues arising in this regard would be a matter for Environmental Health. Notwithstanding this, the development is a residential development in a residential area and therefore a suitable and compatible use.

#### Daylight and Sunlight

7.6.11 The application has not included a daylight and sunlight report. However, the Arboricultural Manager has raised the question of daylight levels in the flat block due to the trees to the south as BRE 209 suggests that a living room should be able to receive a minimum of 2 hours of sunlight a day on 21 March.

7.6.12 When reviewing the proposed floor plans of the flat block, all living rooms are dual aspect to the south and east or the south and west which means they have unencumbered windows on the east and west elevations to mitigate any impacts on the windows to the south. In this regard, whilst a daylight and sunlight report has not been submitted, officers are satisfied that the living spaces can receive an adequate amount of daylight and sunlight.

### **7.7 Car Parking, Cycle Provision and Highway impact**

#### National Planning Policy Framework and Planning Practice Guidance

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

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

- 7.7.2 Policy IT5 of the local plan 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.
- 7.7.3 Three-bedroom dwellings require two spaces each whilst one-bedroom flats require one space. This gives an overall site requirement of 12 spaces.
- 7.7.4 Parking spaces should be 2.5m wide and 5m long and the submitted plans show this is achieved. The site is located within Residential Accessibility Zone 3 which allows for a 25% reduction in spaces, but the applicant has chosen to provide the full requirement of 12 spaces. Concerns from local residents regarding a lack of parking are noted but the application is fully policy compliant in this regard and therefore not a reason to refuse planning permission.

#### Visitor Spaces

- 7.7.5 Visitor spaces are only required where parking for the dwellings is allocated and is required at 0.25 spaces per dwelling which would equate to 2.5 spaces, rounded to 3 spaces. The parking is not shown on the plans to be allocated and therefore is not required in this instance. However, the applicant could technically provide 9 spaces in accordance with the SPD due to being within an accessibility zone. Given the applicant is providing the full complement of 12 spaces, these 3 additional spaces could technically be used by visitors. Therefore, the proposal would be in full alignment with the Council's adopted standards.
- 7.7.6 All parking spaces will have the necessary underground infrastructure for electric vehicle parking. The number of EV charging points will be determined by Building Control through Approved Document S. The provision of the underground infrastructure can be secured via a condition.

#### Disabled Spaces

- 7.7.7 The standards for disabled spaces in residential developments are 1 space per wheelchair user dwelling, which is classified as those dwellings meeting Building Regulations M4(3). None of the proposed units fall within this category and therefore the required provision is zero.
- 7.7.8 Notwithstanding this, the applicant has opted to provide 1no. disabled space which is considered to be a benefit of the proposal that weighs in favour of the development.

#### Cycle Storage

- 7.7.9 In terms of cycle parking, the Parking Provision SPD requires 1 storage space per bedroom for all types of residential unit. This would require the dwellings to provide 3 spaces and the flat block to provide 8 spaces. All storage facilities should be secure and lockable.

- 7.7.10 The submitted plans show that each dwelling has sufficient garden space to easily accommodate the necessary storage and there is a storage unit to the south of the flat block that can accommodate 10 cycles in single storey storage with additional, spare storage space that could accommodate sundry items or adaptable cycles. The application is therefore acceptable in this regard.
- 7.7.11 Comments from Cycling UK are noted about the design of the cycle storage being vertical rather than Sheffield stands. The Parking Provision SPD does not specify the design or style of cycle parking and therefore there is no policy basis upon which to refuse the proposed design. Adapted cycle parking is only required on residential developments where wheelchair user dwellings M4(3) are provided. As no such dwellings are to be provided on this site then adapted cycle storage is not a policy requirement.

### Highway Safety

- 7.7.12 Herts County Council as Highways Authority (HA) reviewed the application and initially raised some concerns over the size of the site access, inadequate swept path analyses, and the lack of a construction management plan. Following a meeting between all parties to discuss the concerns, and the subsequent submission of updated plans, the HA advised that they are content in principle with the proposed access arrangement, which has been designed as a Copenhagen Crossing in order to prioritise active travel and improve pedestrian and cycle accessibility.
- 7.7.13 Notwithstanding this, the applicant is advised that the access improvements will need to be delivered via a minor Section 278 agreement with the Highway Authority to ensure the works are implemented safely and to the required adoptable standards and an informative can be imposed on any decision notice advising of this. The HA also require the imposition of a condition for the submission of a construction management plan prior to commencement which the applicant has agreed to.
- 7.7.14 The development is not considered to overburden existing infrastructure given that it would be CIL liable, and the purpose of the CIL payment is to mitigate infrastructure impacts.
- 7.7.15 The HA have advised that they will submit a request for circa £96,810.00 as a CIL contribution towards improvements of the cycle network but that this will not be required as a section 106 contribution.
- 7.7.16 Given the site access is less than 30m from the access point of a shared cycle and pedestrian network to the east of the site, the development is considered to be in an excellent location for sustainable modes of transport away from the motor vehicle and a s106 financial contribution in this regard would not be necessary to make the development acceptable in planning terms. The site is not identified in Policy IT7 as a site that is required to contribute to the improvement of pedestrian and cycle links. As such, the approach of seeking the contribution as a CIL contribution is a reasonable, and acceptable, approach.
- 7.7.17 In summary and subject to appropriate conditions if members were minded to grant permission, the development would not have a detrimental impact on the safety and operation of the nearby highway network.

## **7.8 Impact on the Environment**

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

### Groundwater

- 7.8.3 The application site is not located within a Source Protection Zone, and no concerns have been raised by Thames Water or Affinity Water with respect to potential impact from the development although Thames Water have advised that the applicant would need to make contact with them prior to commencing development as they have underground assets in the vicinity of the site.

### Air Quality

- 7.8.4 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).
- 7.8.5 In order to mitigate the construction phase, it is recommended a condition is imposed on any permission issued. This condition would require the applicant to adhere to the CMP which details measures on controlling levels of dust and air pollutions which are generated during the construction phase of development.
- 7.8.6 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 NO<sub>2</sub> emissions which, in accordance with IAQM/EPUK guidance, is identified as having a negligible impact at all receptors in the area. As such, the need for additional mitigation has not been identified as being required. As such, the Council's Environmental Health Section has not raised any concerns with respect to the operational impact the development would have on air quality.

### Noise Pollution

- 7.8.7 With respect to noise, Policy FP8: Pollution Sensitive Uses stipulates that planning permission for pollution sensitive uses will be granted where they will not be subjected to unacceptably high levels of pollution exposure from either existing, or proposed pollution generating uses.
- 7.8.8 Dealing firstly with the impact of noise from the construction phase of the development, detailed measures will be required in the CMP. Through the CMP the hours in which noisy activities take place are to be controlled along with the imposition of relevant mitigation measures being put in place to minimise the impact of noise from construction activities. Moreover, if a breach were to take place, the Council can enforce the condition accordingly. Consequently, the imposition of such a condition is supported by the Council's Environmental Health Section.

7.8.9 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

7.8.10 In terms of light pollution, Policy FP7: Pollution of the adopted Local Plan (2019) requires all development proposals should minimise, where possible, light pollution. Applications for development where pollution is suspected must contain sufficient information for the application to make a full assessment on impacts. Planning permission will be granted where it can be demonstrated that the development will not have unacceptable impacts on:

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

7.8.11 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.

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

## **7.9 Development and Flood Risk**

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

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

7.9.3 The application is accompanied by a flood risk assessment and drainage strategy which have been assessed by Herts County as the Lead Local Flood Authority (LLFA). The LLFA raised a number of objections. The applicant has submitted amended details which are currently still with the LLFA for assessment.

7.9.4 Should members be minded to resolve to grant planning permission then it is requested that delegated authority be given to the Director of Planning and Regulation to work with the applicant and the LLFA to agree an acceptable drainage strategy and, 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 if the Committee has resolved to approve this application.

7.9.5 However, should the LLFA's outstanding concerns not be resolved, then it is recommended this application be referred back to the Planning and Development Committee for its decision.

## 7.10 Trees and Landscaping

7.10.1 Policy NH5 of the adopted Local Plan (2019) states that development proposals will be expected to protect and retain individual trees within the development site and should include new planting where appropriate.

7.10.2 The application is accompanied by an Arboricultural Impact Assessment (AIA) by Middlemarch Environmental Ltd which identifies 1no. Category A tree, 6no. trees and 3no. groups of trees in Category B and 5no. trees and 6no. groups of trees in Category C. No trees are identified as being in Category U.

7.10.3 For clarity the tree classification system is as follows:

- Category A: Trees of high quality with an estimated remaining life expectancy of at least 40 years.
- Category B: Trees of moderate quality with an estimated remaining life expectancy of at least 20 years.
- Category C: Trees of low quality with an estimated remaining life expectancy of at least 10 years, or young trees with a stem diameter below 150 mm.
- Category U: Trees in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years.

7.10.4 There is a Tree Preservation Order (No.52) on the site which covers 9no. trees.

- T1 through T4 – Ash
- T5 – Sycamore
- T6 through T8 – Ash
- T9 – Golden Weeping Willow

7.10.5 None of the TPO trees are shown in the AIA as being removed.

7.10.6 Two individual trees and two groups, and one partial group are proposed to be removed which are identified in the AIA as all in Category C and are detailed as follows:

Tree/ Tree Group Reference	Species	Retention Category	Reason for Removal
T7	Lawson cypress	C	Proposed landscaping.
T8	Snowy mespilus	C	Within footprint of proposed building.
G6*	Mixed species	C	Proposed landscaping, proximity to proposed building, bin store and cycle store.
G7	Ash	C	Proposed landscaping.
G8	Mixed species	C	Proposed landscaping
Key			
*: Partial removal of trees within group or hedgerow			

- 7.10.7 The Council's Arboricultural Manager has reviewed the application and raised no concerns from an Arboricultural point of view but did raise the question of whether some of the trees on the southern side of the flat block would impact the light levels inside the flats. This has been addressed in paragraphs 7.6.10 and 7.6.11 of the report.
- 7.10.8 The Council's Green Spaces Manager has reviewed the landscaping proposals and raised no objections or concerns in principle. However, they note that the level of detail is insufficient to make a detailed assessment. Accordingly, they have requested that a condition be imposed to require the submission of a more detailed landscaping strategy that includes a maintenance strategy and species planting information. This can be secured for prior to occupation and as such there is no requirement to seek specific consent from the applicant to impose such a condition.

## **7.11 Biodiversity, Ecology and Protected Species**

- 7.11.1 Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 sets out that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the 'biodiversity gain condition' requiring development to achieve a net gain of 10% of biodiversity value. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not apply in some circumstances.
- 7.11.2 Applicants for planning permission are required to make a statement as to whether the biodiversity gain condition will apply if permission is granted, and, if it does not apply, under which exemption they are applying.
- 7.11.3 The development is subject to the BNG condition and therefore the applicant should provide a 10% net gain on site. Where this is not possible, the hierarchy states that the next best option is to purchase habitat units from a suitable Land Bank or Broker, and the least favourable option is to purchase credits from the Government for them to provide BNG at a suitable site.
- 7.11.4 The submitted BNG assessment advises that the site post development would result in a 0.69% loss of biodiversity which equates to 0.55 habitat units. The applicant will therefore be required to provide the required uplift off-site which would be secured through conditions.
- 7.11.5 The Council's Ecology Officer has reviewed the application and raised no objections or concerns subject to the mandatory submission of the Biodiversity Gain Plan prior to commencement.
- 7.11.6 The Preliminary Ecological Appraisal (PEA) concludes that the habitats on site are of low ecological value, and no protected species of wildlife, flora or fauna were observed.
- 7.11.7 The PEA notes that some of the vegetation on site may have potential to support foraging and commuting bats but no evidence of bats were found inside the building on site and whilst four trees on site have potential to roost bats, again, no evidence was found on site as to bats being present.
- 7.11.8 The PEA notes the site provides some suitable foraging and refuge habitat, in the form of dense scrub, scattered scrub and introduced shrub, for terrestrial mammals such as hedgehog. However, connectivity to other nearby areas of suitable habitat is limited by the presence of busy roads. Several shallow mammal holes, clearly not created by badger, were found in the on-site amenity grassland. It is considered likely that these were

created by fox (*Vulpes vulpes*). No recommendations have been provided to protect these mammal holes and therefore it is not considered necessary to condition otherwise.

7.11.9 Two representations were received requesting conditions for swift boxes – one for 6no. boxed and one for 8no. boxes. There are no Local Plan policies regarding this matter and currently no definitive rules or guidance in the NPPF or planning practice guidance that sets out a specific number of boxes or formula for calculating the number. Notwithstanding this, the applicant has raised no objections to the imposition of a condition for 6no. boxes.

## 7.12 Other Matters

### Sustainable construction and climate change

7.12.1 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.

7.12.2 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.

7.12.3 The application is accompanied by an Energy Statement by Abbey Consultants that comprehensively sets out the ways in which the development will be constructed to meet or exceed the relevant Building Regulations.

7.12.4 The strategy achieves and meets the following requirements which can be secured with a condition:

- Maximises the energy efficiency performance of the building fabric, in accordance with the energy hierarchy.
- The fabric energy efficiency (DFEE) achieves a 8% reduction over the minimum standards defined by Building Regulations Part L1 2021 (TFEE).
- The carbon dioxide emissions of the houses are further minimised at the 'Be Green' stage of the energy hierarchy by deploying air source heat pump technology to provide the dwellings with heating and hot water.
- Reduces a total estimated 5.74 tonnes of CO2 compared to the Part L 2021 baseline. This equates to a 63% saving.
- Complies with all of the main compliance criteria required by Part L 2021 of the Building Regulations.
- Details a specification of water efficiency measures which will limit the water consumption of the dwellings to no more than 110 litres/person/day.

### Waste and Recycling

- 7.12.5 The Design Guide (2025) states, provision should be made within new development for the storage and collection of waste from a site. The layout plan shows that the pair of semi-detached dwellings have sufficient space within their gardens and curtilage to accommodate all the waste and recycling bins required.
- 7.12.6 Following concerns raised by the Highways Authority over the access to the site and the manoeuvrability of refuse vehicles, the plans were amended to move the bin store for the flat block nearer to the site access in order that refuse vehicles do not need to enter and the bins are within the required 30m drag distance.
- 7.12.7 Using the Council's Environmental Operations teams' calculator, there would be a requirement for 5no. 360 litre recycling bins, 1no. 240 litre food waste bin and 1no. 1100 litre waste bin, giving a total space requirement of 3,380 litres.
- 7.12.8 The applicant has calculated the waste storage provision using BS5906:2005 rather than the Council's Environmental Operations requirements. In this regard, they have allocated a storage facility that can accommodate 2no. 1,100 litre euro bins and 7no. 360 litre wheelie bins which equates to 4,720 litres of storage.
- 7.12.9 The Council's Environmental Operations department have been consulted on the application but as of the time of writing this report, they have not provided any comments. However, it is noted that the storage facility provided exceeds the requirements of the Council.
- 7.12.10 However, it is noted that due to the requirements of the Highways Authority, the bin collection point is now located close to the access and that means that the occupiers of the semi-detached dwellings will have a drag distance of between 50m and 60m to move their bins from their curtilage to the collection point each week. This does not accord with the requirements of the Design Guide SPD (2025) which states drag distances should not exceed 30m and therefore the proposal is contrary to Policy GHD1 which upholds the SPD. This will need to be considered in the final planning balance.

### Fire Hydrants

- 7.12.11 The Fire Service's Water Officer is not a statutory consultee and as such were not consulted on this application. Notwithstanding this, the Fire Service are a statutory part of the Building Regulations application process and as such any requirements for fire hydrants or other such matters would be dealt with at that stage.

### Community Infrastructure Levy

- 7.12.12 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 <sup>2</sup>	£100/m <sup>2</sup>

Sheltered housing	£100/m <sup>2</sup>
Extra care housing	£40/m <sup>2</sup>
Retail development	£60/m <sup>2</sup>
All other development	£0/m <sup>2</sup>

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

7.12.14 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.

### **7.13 Matters Raised in Representations**

7.13.1 The planning application was publicised in accordance with the Legislation and the Council's adopted Statement of Community Involvement (SCI), that is, letters were sent to adjoining landowners, a site notice was placed outside the site, and a notice was placed in the local newspaper. Accordingly, the Council has fulfilled its legal obligations in this matter. The comments regarding how the developer undertook their own community engagement are noted but are not a material planning consideration.

7.13.2 Comments regarding the site not being vacant at the time of submission are noted, but this is not a material planning consideration for the purpose of this planning application.

7.13.3 House values and legal covenants within property deeds are not material planning considerations as established by case law.

### **7.14 Equality, Diversity and Human Rights**

7.14.1 Consideration has been given to Articles 1 and 8 of the First Protocol of the European Convention on Human Rights. It is not considered that the decision would result in a violation of any person's rights under the Convention.

7.14.2 When considering proposals placed before Members it is important that they are fully aware of and have themselves rigorously considered the equalities implications of the decision that they are taking.

7.14.3 Rigorous consideration will ensure that proper appreciation of any potential impact of that decision on the Council's obligations under the Public Sector Equalities Duty. As a minimum this requires decision makers to read and carefully consider the content of any Equalities Impact Assessment (EqIA) produced by officers.

7.14.4 The Equalities Act 2010 requires the Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share protected characteristics under the

Equality Act and persons who do not share it. The protected characteristics under the Equality Act are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; sex and sexual orientation.

- 7.14.5 In terms of inclusive access, the scheme has been designed to be DDA (Disability Discrimination Act) compliant. In addition, in accordance with Policy HO11: Accessible and Adaptable Housing of the adopted Local Plan (2019), as this is a major scheme at least 50% of all new dwellings will need to be category 2: accessible and adaptable dwellings. The development also comprises of level access to the car park and ground floor areas of the buildings.
- 7.14.6 Further, the development will comply with current accessibility standards, including Part M of the building regulations, ensuring that units are accessible to individuals with varying mobility needs. This includes step-free access to the ground floors of houses, wide doorways, and interior layouts that allow for future adaptation. All dwellings will be designed to comply with the M4(2) standard, as a minimum.

## **8. CONCLUSIONS**

- 8.1. The proposed development would involve the provision of housing and the council's latest Housing Delivery Test result indicates that housing delivery was substantially below the housing requirement over the last three years. Therefore, the policies most important for determining the application are considered to be out-of-date and paragraph 11(d) of the NPPF is engaged. This carries significant weight in favour of the application.
- 8.2. 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.
- 8.3. The development would provide 10no. residential units, making a reasonable contribution to the aim of boosting housing supply, which in this instance, would be through redeveloping a sustainable brownfield site.
- 8.4. Further, the proposal would deliver 3 affordable units which is in line with the requirements of Policy HO8 and attracts significant weight in favour of the development. This is due to the under-delivery of affordable housing to date over the Local Plan period.
- 8.5. There would be some economic benefit during the construction phase, and future occupiers would be likely to contribute to local services and facilities. Given the quantum of development, it is considered that these benefits would be significant and therefore attracts substantial weight in favour of the proposal.
- 8.6. The proposed development would have an acceptable impact on the amenities of neighbouring occupiers. The collection of waste and recycling does not accord with Manual for Streets drag distance of 30m; these are neutral matters and would not be sufficient reason to recommend a refusal on this basis.
- 8.7. The development has been assessed to be acceptable in appearance and would not harm the visual amenities of the area. The development has been assessed to be acceptable in terms of private amenity space in accordance with the adopted Design Guide (2025) and Policy GD1 of the Local Plan (2019). This weighs in favour of the proposal.

- 8.8. With regards to the environmental impact of the development in terms of ecology, biodiversity and landscaping, it has been established that there would be no uplift on site, but the applicant will make relevant contributions to biodiversity off-site and the installation of swift boxes on site. The application is therefore acceptable in this regard.
- 8.9. The car parking and cycle parking meet the standards as set out in the Parking Provision SPD (2025) and are therefore acceptable. Additionally, the Highways Authority have raised no concerns with highway safety. This carries moderate weight in favour of the proposal.
- 8.10. In conclusion, whilst the proposal has been assessed to contravene policy through failures of waste and recycling collections, it is considered that the public benefits identified through the delivery of housing, and most importantly the delivery of affordable housing, on previously developed brownfield land, substantially 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 and also subject to the applicant having first entered into a S106 legal agreement to secure the following:-
- The provision of affordable housing;
  - Financial contributions for Herts County Council Education provision;
  - Local Employment Apprenticeships
  - SBC and HCC Section 106 monitoring fees.

### SUBJECT TO THE FOLLOWING CONDITIONS/REASONS

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:  
2161-PL01; 2161-PL03; 2161-PL04; 2161-PL05; 2161-PL06A; 2161-PL07A; 2161-PL08A; 2161-PL09A; 2161-PL11; 2161-PL02B; 2161-PL10B; B24063-101B;  
**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, construction or maintenance activities audible at the boundary, and no deliveries of construction and demolition materials shall be undertaken outside the hours 07:30 hours to 18:00 hours Monday to Friday and 08:00 hours to 13:00 hours on Saturdays. For the avoidance of doubt, no such activity shall take place on Sundays or Bank Holidays, unless otherwise agreed in writing with the Local Planning Authority.  
**REASON:-** In the interests of the living conditions of neighbouring occupiers.

- 4 In the event that any previously unidentified ground contamination is discovered on the site, no further construction work may be carried out in the affected area until a remediation strategy has been submitted to and approved in writing by the local planning authority. Where any development to which this permission relates is required to be carried out in accordance with a remediation strategy, a verification report (setting out the remedial measures actually undertaken on the site) shall be submitted to and approved in writing by the local planning authority prior to the beneficial occupation of the development.

**REASON:-** To prevent harm to human health and pollution of the water environment
- 5 The development hereby approved shall be constructed in accordance with the measures to address adaptation and mitigation to climate change as laid out in the Energy Statement by Abbey Consultants dated October 2025, Reference PA-ES-HHA-45MV-24-02. These measures shall then be implemented and permanently maintained in accordance with the approved details.

**REASON:-** To ensure the development is adaptable to climate change through provision of energy and water efficiency measures.
- 6 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the building(s) or the completion of the development whichever is the sooner. In regards to hard surfacing, this shall be carried out in accordance with any approved details within three months of the first occupation of the building or the completion of the development, whichever is the sooner.

**REASON:-** To ensure the development has an acceptable appearance and to protect the visual amenities of the area.
- 7 Any trees or plants comprised within the scheme of landscaping, which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

**REASON:-** To ensure a satisfactory appearance for the development.
- 8 The development hereby permitted shall be carried out in accordance with the ecological mitigation and enhancement measures as detailed in the Preliminary Ecological Appraisal dated October 2025, reference RT-MME-180733-04A by Middlemarch Environmental Ltd. This document shall be adhered to at all times during construction, including site clearance works, and during occupation of the development.

**REASON:-** To ensure protection of the natural environment
- 9 Any external lighting installed at the site shall be angled so as to avoid any spillage beyond the site boundaries unless otherwise agreed in writing by the Local Planning Authority.

**REASON:-** To minimise pollution of the environment
- 10 At least 50% of the residential units shall be Category 2: Accessible and Adaptable dwellings.

**REASON:-** To ensure the development will meet the increase in demand for accessible and adaptable units for elderly and disabled residents in accordance with Policy HO11 of the Stevenage Borough Local Plan 2011 - 2031 (adopted 2019).

- 11 No development shall take place (including demolition and site clearance) until a construction management plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved plan. The construction management plan shall include details of the following:
- a) Construction vehicle numbers, type, routing;
  - b) Access arrangements to the site;
  - c) Measure to minimise dust, noise machinery and traffic noise impacts during construction;
  - d) Screening and hoarding details to protect neighbouring residents;
  - e) Traffic management requirements, including the location of routes and from the site, details of their signing monitoring and enforcement measures;
  - f) Construction and storage compounds (including areas designated for car parking, loading /unloading and turning areas);
  - g) Siting and details of wheel washing facilities;
  - h) Cleaning of site entrances, site tracks and the adjacent public highway including end of day tidying procedures to ensure protection of the site out the hours of construction. The construction activities shall be designed and undertake in accordance with the code of best practice set out in BS5228 1997 and the agreed details unless otherwise agreed in writing by the LPA and Highways;
  - i) Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
  - j) Provision of sufficient on-site parking prior to commencement of construction activities;
  - k) Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
  - l) Where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes, and remaining road width for vehicle movements;

**REASON:-** In the interests of highway safety and residential amenity.

12 HOLD FOR LLFA CONDITION

13 HOLD FOR LLFA CONDITION

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

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

- 15 No development shall take place (including site clearance) until the tree protection measures as detailed in the Arboricultural Impact Assessment dated November 2025, Reference RT-MME-180733-02-Rev A by Middlemarch Environmental Ltd have been implemented accordingly. The tree protection measures shall remain in place until the development has been completed. Within the tree protection areas to be fenced off in accordance with the AIA there shall be no alteration to the ground level and they shall be kept clear of vehicles, materials, surplus soil, temporary buildings, plant and machinery. Any trees identified as part of Condition 9 shall not be covered by this condition.

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

- 16 The development shall not commence until the Biodiversity Gain Plan has been prepared in accordance with the Biodiversity Net Gain Assessment dated April 2026, Reference RT-MME-180733-06-Rev B prepared by Middlemarch Environmental Ltd.

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

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

(b) a non-technical summary;

(c) the roles and responsibilities of the people or organisation(s) delivering the HMMP;

(d) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;

(e) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and

(f) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority

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

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

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

(a) HMMP has been implemented; and

(b) Habitat creation and enhancement works as set out in the HMMP have been completed.

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

- 19 No development shall take place above slab level until a specification of the materials to be used in the construction of the external surfaces development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

**REASON:-** To ensure the development has an acceptable appearance and to protect the visual amenities of the area.

- 20 No development shall take place above slab level until details of 6no. integrated swift boxes are submitted to and approved in writing by the local planning authority. These features must be integrated into the brickwork of the development and located in the most appropriate locations to ensure occupation. They shall be fully installed prior to occupation and retained as such thereafter.

**REASON:-** To conserve and enhance biodiversity in accordance with NPPF.

- 21 Prior to the occupation of the dwellinghouses hereby permitted, all the parking spaces shown on the approved plans 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

22 Prior to the first occupation of the development hereby permitted, the access, parking, turning and servicing areas shown on the approved plans shall be provided, marked out and hard surfaced ready for use and shall be retained in that form and kept available for those purposes thereafter. The hardstanding areas shall be made of a porous material, or provision shall be made to direct surface water run-off water from the hardstanding to a permeable or porous area or surface within the curtilage of the building.

**REASON:-** To ensure that adequate parking and servicing facilities are available within the site and that there is no detriment to the safety of adjoining highways and to ensure the development is sustainable and accords with the aspirations of Class F, Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015.

23 Prior to the first occupation of the dwellings hereby permitted, the cycle storage facilities as shown on approved plan 2161-PL10B shall be installed and be ready for use. The approved facilities shall be maintained and retained for the lifetime of the development.

**REASON:-** To ensure that there is sufficient cycle parking provision in accordance with the Council's adopted standards is maintained for all dwellings on site in perpetuity.

24 Prior to the first occupation of the dwellings hereby permitted the general waste and recycle stores as shown on approved plan 2161-PL10B shall be installed and made ready for use and retained and maintained accordingly for the lifetime of the development.

**REASON:-** To ensure the storage areas have an acceptable appearance and are of sufficient size to accommodate the number of bins which are required for this development.

25 HOLD FOR LLFA CONDITION

26 a) Prior to the first occupation of the dwellings hereby approved, a written noise mitigation plan for the site shall be submitted in writing to, and approved by, the Local Planning Authority. The plan shall demonstrate that the layout and construction of dwellings and associated external amenity space reflects good acoustic design together with details of appropriate mitigation measures, where required, so that internal and external noise levels specified below will not be exceeded:

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

Where it is necessary to rely on closed windows to achieve the above internal noise levels then an alternative adequate means of ventilation and cooling, meeting the requirements of building regulations approved document F and O, shall be provided that do not compromise the performance of the relevant facade noise insulation. Where mechanical ventilation is proposed it should, in normal operation, achieve compliance with NR20 in bedrooms between 23:00 to 07:00 and NR25 in all habitable rooms between 07:00 to 23:00.

Noise levels in external amenity spaces (except balconies) shall not exceed 55dB LAeq,16hr.

b) Prior to the occupation of any dwellings a detailed written compliance report confirming that the agreed mitigation measures have been implemented shall be submitted to, and approved by, the Local Planning Authority.

c) All agreed mitigation measures shall be retained as such for the duration of the residential use.

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

- 27 Prior to the first occupation of the development hereby approved, a detailed landscaping strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include the proposed planting palette, specifications, and ongoing maintenance arrangements/strategy for the site.

**REASON:-** To ensure the development has an acceptable appearance and to protect the visual amenities of the area.

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

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

**INFORMATIVE**

**1 Public Information on Planning Applications**

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

**2 Community Infrastructure Levy**

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

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

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

**3 Building Regulations**

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

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

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

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

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

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

#### 4 **Party Wall etc. Act 1996**

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

#### 5 **Biodiversity Net Gain**

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

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

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

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

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

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

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

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

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

## **6 UK Power Networks**

Please note there are LV underground cables on the site running within close proximity to the proposed development. Prior to commencement of work accurate records should be obtained from the Plan Provision Department at UK Power Networks, Fore Hamlet, Ipswich, IP3 8AA.

All works should be undertaken with due regard to Health & Safety Guidance notes HS(G)47 (Avoiding Danger from Underground services). This document is available from local HSE office. Should any diversion works be necessary as a result of the development then enquiries should be made to our Customer Connections department. The address is UK Power Networks, Metropolitan House, Darkes Lane, Potters Bar, Herts, EN6 1AG.

## **7 Thames Water**

Public sewers are crossing, or close to, your development. Build over agreements are required for any building works within 3 metres of a public sewer or within 1 metre of a public lateral drain. Please refer to Thames Water's guide on working near or diverting pipes: <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>. Please ensure to apply to determine if a build over agreement will be granted. Further, permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing [trade.effluent@thameswater.co.uk](mailto:trade.effluent@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; Business customers; Groundwater discharges section.

Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk), Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB.

**8 Thames Water Wastewater Assets**

The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://www.thameswater.co.uk/developers/larger-scale-developments/planningyour-development/working-near-our-pipes> Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk) Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB.

**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**

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.

**11 Hertfordshire County Council as Highways Authority**

The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/businessanddeveloper-information/development-management/highways-developmentmanagement.aspx> or by telephoning 0300 1234047.

12 **Hertfordshire County Council as Highways Authority**

Construction standards for new vehicle access: Where works are required within the public highway to facilitate the new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.

13 **Hertfordshire County Council as Highways Authority**

Construction Management Plan (CMP): The purpose of the CMP is to help developers minimise construction impacts and relates to all construction activity both on and off site that impacts on the wider environment. It is intended to be a live document whereby different stages will be completed and submitted for application as the development progresses.

A completed and signed CMP must address the way in which any impacts associated with the proposed works, and any cumulative impacts of other nearby construction sites will be mitigated and managed. The level of detail required in a CMP will depend on the scale and nature of development. The CMP would need to include elements of the Construction Logistics and Community Safety (CLOCS) standards as set out in our Construction Management template, a copy of which is available on the County Council's website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

14 **Environmental Protection Act 1990**

The applicant is advised of the Council's powers under Part III of the Environmental Protection Act 1990 to prohibit nuisances arising from dust, smoke, artificial light, and a range of other pollutants that may arise on construction sites. The applicant is advised of the Council's powers under the Control of Pollution Act 1974 to restrict noise generating construction (including demolition) activity audible beyond the development site boundary.

## 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://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.