

Meeting: Planning and Development Committee **Agenda Item:**
Date: 4th June 2026
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Lead Officer: Alex Robinson
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Application No : 26/00250/FP
Location : The North End Of The Fairlands Valley Park Fairlands Way
Proposal : Installation of public sculpture
Drawing Nos.: Site Location Plan; Aerial View; Elevation View; Proposed Site Plan
Applicant : Mr Louis Smith
Agent: Ms Ana Carolina Pinto White
Date Valid: 19 March 2026
Recommendation: GRANT PLANNING PERMISSION



1. SITE DESCRIPTION

- 1.1 The application site comprises a 4m² area of Fairlands Valley Park, located to the south of the park carpark accessed from Fairlands Way.

2. RELEVANT PLANNING HISTORY

- 2.1 The relevant planning history on file is as follows:
- 26/00305/FP - Installation of public sculpture. This application is currently pending consideration.

3. THE CURRENT APPLICATION

- 3.1 This application seeks planning permission for the installation of a public sculpture. This would comprise a Roman Legionary, a large-scale public sculpture intended for Stevenage as part of the Public Art Commission 2025.
- 3.2 This application has been referred to the Planning and Development Committee for its decision. This is because the agent and landowner is Stevenage Borough Council.

4. PUBLIC REPRESENTATIONS

- 4.1 Following notification of the application via letters and the erection of site notices, public representations have been received from the following properties:

- Ridgeway (no number given);
- Archer Road (no number given);
- 31 Trent Road;
- 75 Brook Drive;
- 206 Bedwell Crescent.

- 4.2 A summary of the comments received are set out below:

- Waste of public funding/unnecessary expenditure;
- Unsuitable location;
- It will be subject to vandalism;
- Stevenage does not have a strong history of Roman connections;
- Poor prioritisation of limited public resources.

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

5. CONSULTATIONS

- 5.1. Green Spaces Team – Comments received on the 15th of April 2026: “The proposal is supported in principle. The sculpture has the potential to be an interesting and valuable addition to the park, contributing positively to the visitor experience and overall character of the space. The interactive nature of the proposal is welcomed, subject to appropriate durability and longevity considerations.”

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. The NPPF should be read as a whole (including its footnotes and annexes).

6.3 Planning Practice Guidance

6.3.1 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.

6.4 National Design Guide

6.4.1 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.

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

6.5.1 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: Presumption in favour of sustainable development;
 Policy SP2: Sustainable Development in Stevenage;
 Policy SP8: Good Design;
 Policy IT5: Parking and access;
 Policy GD1: High quality design;
 Policy NH4: Green Links.

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

6.7 Local Plan Review and Update (2024)

- 6.7.1 The council concluded a full review of the plan in 2024, as required by regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).
- 6.7.2. In response to the review, the council has proposed a partial update of the local plan. Weight must be given to the emerging policies in the partial update according to: a) the stage of preparation of the emerging plan; b) the extent to which there are unresolved objections to the policies; and c) the degree of consistency between the policies and the most recent revision of the NPPF.
- 6.7.3. At the time of writing, the partial update has undergone examination by the Secretary of State and the main modifications consultation has closed. The partial update is at an advanced stage of preparation, and the council considers the emerging policies within it to have a high degree of consistency with the NPPF. Where relevant, the weight to be given to emerging policies will be set out in the assessment section of this report.

6.8 Supplementary Planning Documents

- 6.8.1 The following supplementary planning documents are relevant to determining the application:
- Stevenage Design Guide 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. This proposal is not CIL liable.

7. APPRAISAL

- 7.1.1 The main issues in the assessment of the application is its acceptability with impact on the setting of a heritage asset, impact visual amenities, impact on amenities, parking and highways implications and impact on the environment.
- 7.1.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

7.2 Impact on the Significance of a Designated Heritage Asset

- 7.2.1. The proposed development seeks to install a new sculpture in a grassed area to the south of the Fairlands Valley Park car park accessed from Fairlands Way. This would be approximately 50 metres away from the Grade II Listed Building of Fairlands Farm, a Grade II listed building comprising a former farmhouse of the C17, remodelled in the C19 (list entry no: 1393097).
- 7.2.2. The proposed sculpture would be approximately 1 metre tall at its maximum height, and 4 metres long, would be ground mounted and constructed from concrete.
- 7.2.3. Regarding listed buildings, S66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that when considering whether to grant planning permission for development which affects a listed building or its setting, special regard shall be had

to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

- 7.2.4. Case Law has determined that in this context 'preserve' is taken to mean 'to do no harm'. The NPPF requires 'great weight' to be given to conserving the significance of designated heritage assets (paragraph 212). This is regardless of whether any harm may be 'substantial harm' or 'less than substantial harm' (paragraph 212). Any harm should require 'clear and convincing' justification (paragraph 213). If a development proposal would lead to less than substantial harm, this harm should be weighed against the public benefits of the proposal (paragraph 215).
- 7.2.5. In undertaking that balancing, Case Law has confirmed that the presumption to preserve in the 1990 Act is a strong one and must be given 'considerable importance and weight'. For instance, less than substantial harm is not a less than substantial planning issue. However, that presumption is not irrefutable and can be outweighed by circumstances important enough to justify it. A decision maker that has followed the processes set out in the NPPF can be considered to have discharged their duties under the 1990 Act. The balancing, however, is not 'equal' the presumption to preserve must come first.
- 7.2.6. Due to the set back from the main highway this sculpture would have minimal visual impact on the street scene, and given that it would be ground mounted, owing to the topography and vegetation of the surrounding park, it would have low visibility from the grade II listed farmhouse especially when considering its maximum height at 1 metre, as noted during the Officer Site Visit dated the 1st of April 2026. The use of concrete would allow the sculpture to appear similar to a traditional material such as clay.
- 7.2.7. It is therefore considered the setting and significance of the listed Fairlands Farmhouse would be preserved.

7.3 Design and visual impact

Policy Background

- 7.3.1 Chapter 12. (Achieving well-designed places) of the NPPF (2024) stipulates that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process. Where development is not well designed, permission should be refused.
- 7.3.2 Policies SP8 and GD1 of the Local Plan Partial Review (2024) are deemed to carry significant weight, this is because they generally reflect the good design principles outlined in the NPPF and National Design Guide, i.e., that these policies require developments do not adversely impact the amenities of neighbouring occupiers as a good design principle. Policy GD2 (design certification) is a new policy emerging from the review and states that the Council will support developments that are designed to achieve high levels of certification against nationally and internationally recognised sustainability standards such as BREEAM excellent, Secured by Design Silver or higher or BRE Home Quality Mark.
- 7.3.3 The submitted Design and Access Statement states that the proposal comprises "The Sleeping Legionary, a large-scale public sculpture intended for Stevenage as part of the Public Art Commission 2025."

- 7.3.4 The work is intended to combine “history, archaeology, local stories and a touch of mythology to create something that feels both grounded in the earth and alive with imagination.”
- 7.3.5 The sculpture, which would feature a sleeping Roman Soldier, would have a length of 4 metres and a maximum height of 1 metre, but the width is not to scale. The sculpture would be low-level and ground mounted, with three steel beams affixed into the soil for security.
- 7.3.6 It would be situated on the existing grass open space, and would not block pedestrian views around the bend into the wider Fairlands Valley Park when approaching from the nearest parking.
- 7.3.7 Whilst it is large at 4 metres in length, it is low-lying and would not have an adverse visual impact on the wider Fairlands Valley Park.
- 7.3.8 The Design and Access statement acknowledges that the use of modified concrete would emulate historic Roman finds, such as broken clay pots, and the use of ceramic-like finishes would give the sculpture an earthy feel. The use of this material is also intended to require minimal maintenance. This is considered acceptable.
- 7.3.9 Given the aforementioned assessment, the proposal would not have a detrimental impact on the character and appearance of this part of the park. In addition, the proposal would not harm the visual amenities of the wider street scene. Therefore, it accords with the design policies in the adopted Local Plan (2019), the Council’s Design Guide SPD (2025), and the NPPF (2024).

7.4 Impact on neighbouring amenities

Policy Background

- 7.4.1 Policy GD1 of the local plan requires that development does not lead to an adverse impact on the amenities of neighbouring occupiers. In the emerging partial update of the local plan, Policy GD1 is amended to refer to “unacceptable adverse impacts” on neighbouring amenities. This change is proposed to reflect the fact that in some instances, impacts on amenities may be deemed to be acceptable despite being adverse. The emerging policy is afforded significant weight.
- 7.4.2 In terms of impact on residential amenities, the nearest residential properties are located at least 80m from the application site, the closest being towards the east at Archer Road. Due to the significant separation distance combined with the fact that the sculpture would be ground mounted and would not result in any noise or odour emissions, it is not considered the proposal would harm the amenities of the nearest residential properties.
- 7.4.3 In terms of impact on the surrounding area, the site falls within the Fairlands Valley Park, which is fairly quiet and following construction, it is unlikely that any noise would arise directly as a result of the sculpture. Therefore, the proposal would not harm amenities more generally.

7.5 Car Parking and Cycle Provision

National Planning Policy Framework and Planning Practice Guidance

- 7.5.1 Chapter 9. (Promoting Sustainable Transport) of the NPPF (2024) sets out a requirement to consider transport issues, which includes parking, at the earliest stages

of a development proposal. Paragraph 116 of the NPPF (2024) states “*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*”. Taking this into consideration, paragraph 117 of the NPPF (2024) stipulates that applications for development should:

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

7.5.2 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.

7.5.3 The proposed development does not seek to increase the number of facilities available at Fairlands Valley Park, and the sculpture is designed as part of the landscape for the users of Fairlands Valley Park. The proposal would not have an impact on or result in the loss of any existing parking which is already being provided on site. With respect to the impact on the highway network, the application site already benefits from an existing vehicle access offset from Fairlands Way which is designated as a local access road with a speed restriction of 20-40mph. The proposal does not seek to alter or create any new access points onto the established highway network.

7.5.4 The existing pedestrian path leading into Fairlands Valley Park would not be impacted from the installation of the sculpture as it is located at least 11 metres away from the public footpath. The proposal is considered acceptable from a highway and parking point of view, as it would not result in the requirement for any additional parking, alter existing parking provision, would not generate any additional vehicle traffic and would not affect the existing public pedestrian path.

7.6 Impact on the Environment

7.6.1 Policy NH4 (Green Links) identifies Fairlands Valley Park as a designated Green Link. The application site comprises an area of open green space which would be at very low risk of contamination.

7.6.2 The Green Spaces Development Manager has reviewed the application and supports the application in principle. This is subject to materials being resistant to graffiti and vandalism, and maintenance of the surrounding ground and grass land.

7.6.3 The sculpture has the potential to be an interesting and valuable addition to the park, contributing positively to the visitor experience and overall character of the space. The interactive nature of the proposal is welcomed, subject to appropriate durability and longevity considerations.

7.6.4 The proposal would not create a substantive visual break in the Green Link, and would not have an otherwise material adverse effect on the recreational, structural, amenity or wildlife value of a green link. It is therefore considered to be in accordance with Local Plan policy NH4.

7.7 Development and Flood Risk

7.7.1 In the emerging Local Plan Partial Review and update (2024), flood risk and drainage policies are significantly revised. The existing policy FP1 is replaced by a new sustainable drainage policy, which places an emphasis on the use of the most sustainable SuDS features and methods of surface water discharge and now requires all major and minor applications to incorporate SuDS unless there are clear and convincing reasons for not doing so.

7.7.2 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.

7.7.3 The application site to the extent of the location of the installation of the sculpture 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. The proposal is not therefore expected to raise any flood risk issues.

7.8 Biodiversity, Ecology and Protected Species

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

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

7.8.3 Based on the information submitted, this proposal is not considered to be one which would require the approval of a biodiversity gain plan before development is begun because the following statutory exemption or transitional arrangement is considered to apply.

1. Development below the de minimis threshold, meaning development which:

a) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and

b) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

7.8.4 The sculpture would have foundations on the existing grass but owing to its size (4m²), it would fall under the de minimum category and therefore a 10% net gain in biodiversity is not required.

7.9 Other Matters Raised in Representations

7.9.1 The use or allocations of public funds are not a material consideration in this application.

7.9.2 The applicant is not required to submit contact details of future staff members as part of this application.

7.9.3 Concerns over vandalism or graffiti in the area arising from the sculpture are a matter for the Police.

7.10 Other Matters

Community Infrastructure Levy

7.10.1 The Council adopted CIL on 1 April 2020 and the CIL Charging Schedule specifies a payment for new floorspace. Due to the nature of the proposed development, there is no CIL liability.

7.11 Equality, Diversity and Human Rights

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

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

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

7.11.4 The Equalities Act 2010 requires the Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share protected characteristics under the Equality Act and persons who do not share it. The protected characteristics under the Equality Act are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; sex and sexual orientation.

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

8. CONCLUSIONS

- 8.1 To conclude, the principle of the proposed development is acceptable as it would support the operation and maintenance of the Fairlands Valley Park. Furthermore, it would preserve the setting of Fairlands Farmhouse heritage asset, the character and appearance of the wider site, and would not detract from the visual amenities of the street scene. The proposal would not cause harm to the amenities of the nearest residential properties, nor would it have any impact on the safety and usability of the highway network.
- 8.2 Given the aforementioned, the proposed development is considered to be acceptable in line with the Council adopted Local Plan (2019), Planning and Design Guide SPD (2025), the NPPF (2024) and Planning Practice Guide.

9. RECOMMENDATION

- 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.

SUBJECT TO THE FOLLOWING CONDITIONS/REASONS

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
Site Location Plan; Aerial View; Elevation View; Proposed Site Plan
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 The external materials used in the development to which this permission relates shall be those detailed on the approved plans and in the accompanying planning submission documents unless otherwise agreed in writing by the local planning authority.
REASON:- To ensure the development has an acceptable appearance.

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

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

INFORMATIVE

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

2 **Community Infrastructure Levy**

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

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

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

3 **Building Regulations**

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

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

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

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

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

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

4 **Biodiversity Net Gain**

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

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

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

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

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

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

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

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

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

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

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

10. BACKGROUND DOCUMENTS

- 1 The application file, forms, plans and supporting documents having the reference number relating to this item. Online copies may be obtained at <https://publicaccess.stevenage.gov.uk/online-applications/>
- 2 The Stevenage Borough Local Plan 2011-2031
<https://www.stevenage.gov.uk/planning-and-building-control/planning-policy/local-plan>
- 3 The Stevenage Borough Local Plan Partial Update 2025
<https://www.stevenage.gov.uk/planning-and-building-control/planning-policy/local-plan-partial-update/submission-to-secretary-of-state>
- 4 Stevenage Borough Council Supplementary Planning Documents: Parking Provision SPD 2025; Design Guidance SPD 2025; Developer Contributions SPD 2025.
<https://www.stevenage.gov.uk/planning-and-building-control/planning-policy/planning-library>
- 5 Hertfordshire County Council Local Transport Plan LTP4 2018-2031
<https://www.hertfordshire.gov.uk/media-library/documents/about-the-council/consultations/ltp4-local-transport-plan-4-complete.pdf>
- 5 Government advice contained in the National Planning Policy Framework 2024 and the Planning Practice Guidance.
https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf
<https://www.gov.uk/government/collections/planning-practice-guidance>
- 7 Representations made by statutory consultees and other interested parties referred to in this report. Online copies can be found on Public Access.