

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

Date: 4 August 2026

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Application No : 25/00854/FPM

Location : 40 - 60 Queensway Town Centre

Proposal : Change of use of part of ground floor retail unit (46 Queensway), second floor office units (40-56 Queensway) from Use Class (E) to residential Use Class (C3) to provide 26 flats. Extension of two additional storeys and creation of new bin store and rear access with associated external alterations.

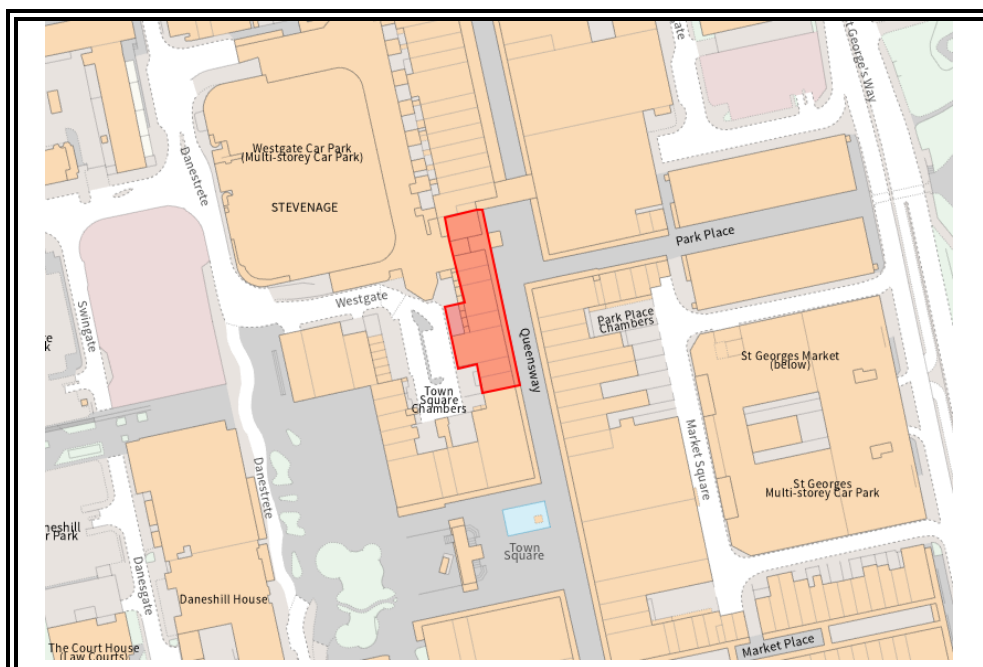
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Applicant : ABC Commercial Stevenage 2 Ltd

Agent: Bidwells LLP

Date Valid: 27 November 2025

Recommendation: GRANT PLANNING PERMISSION



1. SITE DESCRIPTION

- 1.1 The application site comprises a three-storey row of shops and offices on the western side of Queensway, to the south of the entrance to Westgate One shopping precinct. The ground floor is mostly made up of shops, whilst the upper floors comprise incidental storage space for the shop units and separate offices. Access is pedestrian only and can be taken from various points on Queensway as well as from the rear service yard on Westgate.
- 1.2 The site is located within the Town Centre Shopping Area. In the adopted Local Plan (2019), policy TC8 states that at ground floor, units 40 to 48 are primary retail frontages and units 50 to 60 are secondary frontages. It should be noted that through the Local Plan Partial Review, primary and secondary retail frontages have been deleted.
- 1.3 Units 40 to 44 are within the Town Centre Conservation Area.

2. RELEVANT PLANNING HISTORY

- 2.1 12/00441/AD Installation of 1no internally illuminated fascia sign and 1no internally illuminated projection sign. 02.11.2012 ADGRAN
- 2.2 24/00786/CPA Prior approval for the conversion of part ground, first and second floors of office building (Use Class (E) to 18no. one bedroom flats (Use class (C3)) 18.12.2024 PAGRAN
- 2.3 02/00566/AD 1 internally illuminated fascia sign and 1 internally illuminated under canopy sign 26.02.2003 ADGRAN
- 2.4 00/00165/FP New Shopfront 16.05.2000 PER
- 2.5 01/00115/AD Internally illuminated fascia sign 01.05.2001 ADGRAN
- 2.6 99/00401/FP Two Storey Rear Extension 26.11.1999 PER
- 2.7 12/00419/AD Installation of 1 x internally illuminated fascia sign and installation of 1 x internally illuminated projection sign. 23.11.2012 SPLIT
- 2.8 00/00199/AD Illuminated Fascia Sign 26.05.2000 ADGRAN
- 2.9 00/00200/FP New Shopfront 26.05.2000 PER
- 2.10 05/00429/FP Steel security shutter 13.12.2005 WDN
- 2.11 11/00563/AD Retention of 1no. internally illuminated fascia sign and 1no. internally illuminated projecting sign 05.12.2011 ADGRAN
- 2.12 11/00246/AD 1no. internally illuminated fascia sign and 1no. internally illuminated projecting sign 14.06.2011 ADGRAN
- 2.13 11/00247/FP Replacement shopfront 14.06.2011 PER

- 2.14 15/00470/AD Retrospective erection of 1 no. internally illuminated fascia sign and 2 no. internally illuminated hanging signs 05.10.2015 ADGRAN
- 2.15 04/00427/AD 1 no illuminated facia sign and 1 no illuminated box sign 08.12.2004 ADGRAN
- 2.16 06/00655/AD 3 x internally illuminated fascia signs and 1 x internally illuminated hanging sign 17.01.2007 ADGRAN
- 2.17 06/00656/FP New shopfront and shutters 17.01.2007 PER
- 2.18 19/00644/FP Continued use of the first floor as Use Class D2 (Leisure) with ancillary Use Class A1 (Retail) 11.12.2019 PER
- 2.19 17/00311/FP Temporary Change of Use from Class B1 (Training Centre) to Mixed B1/D1 Use (Training Centre/Hearcare Audiologist) for a period of 18 months. 22.06.2017 PER
- 2.20 23/00502/FPM Change of use of ground floor retail unit (80 Queensway), first and second floor office units (58-80 Queensway) and Forum Chambers (all Use Class E) to residential use (Use Class C3) and all associated ancillary infrastructure, and the upward extension of two additional storeys and associated external alterations and works to create a total of 71 residential units. 31.01.2025 PER
- 2.21 25/00530/COND Discharge of condition 9 (Drainage Survey) attached to planning permission reference 23/00502/FPM 30.09.2025 DISCHA
- 2.22 25/00531/COND Discharge of condition 8 (Construction Management Plan) attached to planning permission reference 23/00502/FPM 02.09.2025 DISCHA
- 2.23 25/00543/COND Discharge of condition 11 (Cycle Parking) attached to planning permission reference number 23/00502/FPM 30.09.2025 DISCHA
- 2.24 25/00617/COND Discharge of Condition 15 (Travel Plan Statement) attached to planing permission reference number 23/00502/FPM 17.11.2025 DISCHA
- 2.25 25/00618/COND Discharge of Condition 12 (Swift Bricks) attached to planning permission reference number 23/00502/FPM 30.09.2025 DISCHA
- 2.26 25/00702/NMA Non material amendment to reserved matters approval 23/00502/FPM to change the wording of Condition 10 19.09.2025 AGREE
- 2.27 26/00082/COND Discharge of Condition 13 (Green Roof Drainage) attached to planning permission reference number 23/00502/FPM Pending.
- 2.28 26/00094/COND Discharge of Condition 10 (Material Samples) attached to planning permission reference number 23/00502/FPM 13.02.2026 DISCHA
- 2.29 12/00270/AD 1no. internally illuminated fascia sign and 2no.non illuminated panel signs 03.08.2012 ADGRAN
- 2.30 03/00159/FP Replacement shopfront 27.05.2003 PER
- 2.31 03/00160/AD 1 internally illuminated facia sign and 1 internally illuminated under canopy sign 27.05.2003 ADGRAN

3. THE CURRENT APPLICATION

- 3.1 This application seeks planning permission for the change of use of part of the ground floor retail unit at 46 Queensway and the second floor office units at 40 to 56 Queensway from Use Class E to Use Class C3 (residential), and the erection of two additional residential storeys, to provide a total of 26 flats; together with the creation of a new bin store and rear access with associated external alterations.

4. PUBLIC REPRESENTATIONS

- 4.1 Following notification of the application via letters to neighbouring properties, site notices, and a press notice, public representations have been received from the following:
- Cycling UK
 - East Hertfordshire Swift Group
 - 12 Gilders, Sawbridgeworth
- 4.2 A summary of the comments received are set out below:
- Please consider securing swift bricks;
 - Cycling is affected by traffic orders in the area which need to be updated;
 - Cycle storage details are required per Manual for Streets.
- 4.3 The aforementioned is not a verbatim copy of the objections which have been raised.

5. CONSULTATIONS

5.1. Herts County Council Growth and Infrastructure Unit

Based on delivery of 17 net dwelling units we request £50,695 towards delivering a new primary school and £41,404 towards delivering a new secondary school at the former Barnwell East site/land at Redwing Close.

5.2 B.E.A.M.S (Council's Heritage Advisor)

Stevenage town centre conservation area is on the 'Heritage at Risk' register because its condition is poor, its vulnerability is medium, and its trend is deteriorating. The proposal would see the loss of the original Crittall windows which is regrettable, but they are in poor condition so the use of slim profile metal frame windows to match existing design would be acceptable. Beams support bringing upper floors into residential use as it would assist its refurbishment and maintenance. Raise significant concerns over the two-floor upwards addition as it will disrupt the consistent, strong, linear, 3-storey eaves line along Queensway. The approved application to the northern part of Queensway should not be used as a precedent to allow this application. Beams does not agree with the submitted Heritage Statement and find that the proposal will result in a low level of less than substantial harm to the nearby Grade II listed buildings and locally listed buildings but would result in a high level of less than substantial harm to the conservation area.

5.3 East of England Ambulance Service

26 new dwellings could generate 52 residents and an additional 12 calls per annum (0.6% increase). We request £8,034 towards the installation of EV charging infrastructure at the Stevenage Ambulance Hub. We also suggest that the Council secure contributions towards defibrillators (*unspecified contribution request but note the £500 per device annual maintenance cost for 10 years is specified*).

5.4 Herts County Council as Highways Authority

The site is in the town centre and benefits from excellent accessibility to sustainable transport modes. The scale of development is anticipated to generate a similar number of vehicle trips as the existing use and would not therefore result in a material increase or change of character of traffic in the vicinity. No detrimental harm to the highway safety is expected. We have no objections and do not wish to restrict the grant of permission subject to conditions for cycle storage details and a construction management plan.

5.5 Herts Police Crime Prevention Design Advisor

This application does not appear to have been designed with Secured by Design in mind. Having studied crime data for a 50m radius of the site from October 2024 to September 2025, there were 214 recorded crimes including criminal damage, arson, cycle theft, burglary, assault (including sexual assault), anti-social behaviour. We strongly recommend the applicant engages with us to achieve Secured by Design which would not address designing out crime but also climate change adaptations through carbon reductions in construction. We cannot fully support the application in the absence of Secured by Design but note that we are not objecting to the proposal.

5.6 Environmental Health

December 2025: No objection in principle. Owing to the site location, the noise assessment needs to take account of the mixed-use environment. Unsure how the NIA has arrived at some of the target figures so this needs to be clarified. The open-air communal amenity space has not been included in the assessment which needs to be remedied. Odour assessment needs to be provided. No concerns over contaminated land and recommend a standard condition. A construction management plan should be secured through condition.

March 2026: Noise levels that future occupiers would experience in the outdoor amenity area would comply with guidance in BS8233 and WHO publications, albeit near to the upper limits. Given the applicant is content to accept mechanical ventilation then noise from commercial activities can be suitably mitigated and secured via a condition. Odour mitigations will be incorporated into the mechanical ventilation and are considered acceptable.

5.7 Herts County Council as Lead Local Flood Authority

April 2026: Objection – the site is at risk in the 0.1% AEP event, and the applicant needs to provide additional information on whether safe access and egress can be achieved in a flood event.

July 2026: No Objection – the applicant has provided additional information as requested and we are now able to remove our objection. We would recommend a condition is imposed for a flood emergency plan to be submitted prior to occupation to ensure safe access and egress can be achieved.

5.8 Herts Fire and Rescue Service Water Officer

No objections or concerns raised but require a condition for the provision and installation of fire hydrants at no cost to the County Council.

5.9 Network Rail

Have no observations to make.

5.10 Thames Water

Surface water: no objection. Groundwater discharges: we expect the developer to demonstrate their measures and obtain relevant permits. Public sewers cross near the site so build over agreements may be required. Waste & Sewage: no objections.

5.11 UK Power Networks

There are high and low voltage underground cables on the site, so developer is required to obtain accurate site records from us. No objections raised.

5.12 SBC Traffic and Parking Enforcement Manager

No objections regarding the Travel Plan although greater provision of cycle visitor parking would be welcomed.

5.13 NHS England

No response received.

5.14 Affinity Water

No response received.

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 (updated 2026)
- 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 score is below 75%, the Council must apply the presumption in favour of sustainable development under paragraph 11(d) of the NPPF, incorporate a 20% buffer into its housing supply calculations, and prepare an action plan to assess the causes of under delivery and identify actions to increase delivery in future years. 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 On the 21st May 2024, the Council published its 5 Year Land Supply Update May 2024. This identifies that the Council can demonstrate a Housing Supply of **5.59 years** for the period 01 April 2024 to 31 March 2029. This includes a 20% buffer.

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 (Updated 2026)

- 6.6.1 The Stevenage Borough Local Plan 2011-2031 was adopted in 2019 and partially updated in 2026. 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 The policies most relevant to determining this application are:

Policy SP1: Climate Change
Policy SP2: Sustainable development in Stevenage;
Policy SP3: Strong, competitive economy
Policy SP4: A vital town centre
Policy SP5: Infrastructure;
Policy SP6: Sustainable transport;
Policy SP7: High quality homes;
Policy SP8: Good design;
Policy SP11: Flooding, drainage and pollution;
Policy SP13: The Historic Environment
Policy EC7: Employment development on unallocated sites
Policy TC1: Town Centre
Policy TC8: Town Centre Shopping Areas
Policy IT4: Transport assessments and travel plans;
Policy IT5: Parking and access;
Policy IT6: Sustainable transport;
Policy HO1: Housing allocations;
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 management

Policy FP7: Pollution;
Policy FP8: Pollution sensitive uses;
Policy NH10: Conservation Areas

6.6.3 All of these policies are considered to be fully compliant with the NPPF.

6.7 Supplementary Planning Documents

- 6.7.1 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);

6.8 Community Infrastructure Levy

- 6.8.1 Stevenage Borough Council adopted its revised Community Infrastructure Levy (SCIL2) Charging Schedule 22 July 2026. 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, character and appearance and impact on heritage assets, impact on neighbouring amenities, car parking and highway safety, cycle provision, climate change, flood risk, ecology and biodiversity, and affordable housing and developer contributions.
- 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 application site is not allocated for any specific purpose in the adopted Local Plan, and the proposal therefore falls to be considered as windfall residential development. The acceptability of the principle of residential use on the site is assessed against Policy SP7, the Council's strategic policy for housing, and Policy HO5, the associated detailed policy for windfall sites.

Provision of Housing

- 7.2.2 Policy SP7 seeks to deliver at least 7,600 new homes within the Borough between 2011 and 2031 and, at criterion (e), expressly supports applications for housing development on unallocated sites where they occupy suitable locations and would not exceed the Borough's environmental capacity. The proposal, which would provide 26 dwellings, would make a meaningful contribution towards meeting that housing requirement. As set out below, the scheme would also be delivered on previously developed land and would accordingly assist in meeting the Policy SP7 objective of securing at least 60% of new homes on such land.

- 7.2.3 The application site is not designated for any particular purpose in the local plan. The proposed development is therefore treated as windfall development and is subject to Policy HO5, which sets out criteria such development must satisfy. The proposal satisfies these criteria insofar as they relate to land use: the site is previously developed land (as defined by annex 2 to the NPPF); it enjoys good access to shops, schools and other local facilities necessary for day-to-day living; and the proposed development would not prejudice the delivery of housing on any allocated housing sites; and in light of the fact that SCIL2 would be payable, there is nothing to indicate that it would overburden infrastructure. The proposal is therefore considered to accord with Policy HO5 of the adopted plan.

Housing Mix

- 7.2.4 The proposed development would provide 26 dwellings, comprising 23no. one-bedroom units and 3no. two-bedroom units. No units with three or more bedrooms are proposed. The acceptability of this mix falls to be assessed against Policy HO9, which requires, amongst other things, that an appropriate range of market housing types and sizes be provided, having regard to the four considerations set out at criterion (a)(i) to (iv). When the proposal is assessed against those considerations, factors are found to pull in different directions.
- 7.2.5 The first consideration, at (a)(i), concerns structural imbalances in the existing housing stock. The evidence indicates that the Borough's stock contains a very high proportion of terraced houses and three-bedroom homes, coupled with a shortage of larger, aspirational homes. By not providing three-bedroom units, the proposal would not add to the existing over-representation of that house type, and in providing many smaller units, it would be positive in relation to this particular imbalance.
- 7.2.6 The second consideration, at (a)(ii), concerns the housing needs of the Borough as informed by up-to-date evidence. The most recent evidence is the Strategic Housing Market Assessment Part II Update (2024), which identifies that 57.6% of the total market sale housing requirement is for three-bedroom units. The proposal would provide no three-bedroom units and in this respect, the proposed mix would not accord with the most up-to-date evidence of need. That said, there remains an acute need for dwellings of all sizes and the development would make a meaningful contribution towards meeting the need for smaller units.
- 7.2.7 The third consideration, at (a)(iii), concerns the location and accessibility of the site. The site lies in the town centre, is physically constrained, and is highly accessible. Such a location lends itself well to the high-density flatted development proposed and considerably less well to the delivery of larger family homes. This consideration weighs in favour of the proposal and the smaller unit mix it would deliver.
- 7.2.8 The fourth consideration, at (a)(iv), concerns recent completions, existing permissions and sites within the five-year land supply. These comprise a combination of higher-density flatted development providing smaller units and lower-density housing development including larger units. Taken overall, the pipeline reflects a reasonable mix of types and sizes, and this consideration is therefore regarded as neutral for the proposal.
- 7.2.9 In addition to the matters at criterion (a), Policy HO9(b) requires that the resulting scheme provide a density and character of development appropriate to its location and surroundings, and states expressly that significantly higher densities should be achieved in easily accessible locations. The site occupies a highly accessible location in the town centre, of precisely the kind to which that part of the policy is directed. The high-density

form of development proposed is considered appropriate to, and is positively encouraged by, the policy in this location, and the proposed density is therefore acceptable for the purposes of Policy HO9.

- 7.2.10 Policy HO9(c) seeks the provision of aspirational homes in appropriate locations, a list which includes the town centre and other highly accessible locations such as the application site. The accompanying text to this policy states that to be considered as aspirational flats, they need to be significantly larger than average and may include the provision of private outdoor amenity space or 'penthouse-style' units. The proposal does not seek to provide any units that would meet these criteria and is therefore a contravention of this element of Policy HO9.
- 7.2.11 Drawing these matters together, the proposal represents windfall residential development on previously developed land in a highly sustainable, town centre location. It would make a strong contribution towards the Borough's housing requirement and accords with the strategic support for unallocated housing sites in Policy SP7 and with the criteria in Policy HO5. The scheme is for high-rise flatted development on a physically constrained and highly accessible site, which lends itself well to the provision of smaller units.
- 7.2.12 Whilst the assessed need for three-bedroom homes weighs against the proposed absence of larger units, none of the considerations under Policy HO9, taken individually or together, provides an irresistible justification for insisting that larger units be provided in this location and in this form of development. The proposed mix is therefore considered to accord with Policy HO9.

Loss of Offices / Impact on Retail Units

- 7.2.13 The application also proposes the change of use of approximately 40sqm of back-office space of retail unit 46 Queensway to provide a cycle storage area and approximately 10.5sqm of back-office space of retail unit 48-50 Queensway to provide a new lift and waiting lobby area.
- 7.2.14 Policy TC8 of the Local Plan (updated 2026) defines the spatial extent of the Town Centre Shopping Area (TCSA) and that within the TCSA, uses appropriate to a town centre as defined by Annex 2 of the NPPF will be supported. In this case, no loss of the existing retail offer is proposed, only back-office space would be lost to the cycle storage and lift.
- 7.2.15 It is considered that the proposals would not undermine the retained retail space at ground floor. This is because the proposal would not see a loss of active retail space, no loss of the retail frontages and the alterations to the rear of the premises would see the rear access to the retail shops either retained or re-provided. Additionally, where impacted, the existing staff welfare facilities would be re-provided. Finally, there would be no conflict with the proposed residential units as the ancillary retail storage areas at first floor would be retained and act as a separation between the two uses to mitigate any potential noise conflicts.
- 7.2.16 In this regard, the proposal is considered to be acceptable.
- 7.2.17 The first floor of the application site comprises ancillary retail storage areas and some office space whilst the second floor comprises office space. The application includes the conversion of approximately 663sqm of office space on the second floor to residential dwellings whilst the first floor does not form part of the application and therefore remains un-altered.

- 7.2.18 Policy EC7 protects against the loss of employment land, including offices, on unallocated sites across the Borough. Permission should only be granted for the loss of such land where it can be demonstrated that there is sufficient alternative employment land available elsewhere, that the proposal would provide overriding benefits against other Local Plan objectives, or that the land in question has remained vacant or been unsuccessfully marketed over a considerable period of time.
- 7.2.19 No marketing data has been provided with the application although the submitted Planning Statement confirms that there is no reasonable prospect of the space being used in its current condition and that the Council's Employment Technical Paper (2024) also confirms that there are more suitable and higher specification offerings elsewhere in the town. Further, this office space is provided as ancillary space to the ground floor retail units and can only be accessed internally through the retail units so this space has not, and cannot, be marketed as a standalone opportunity.
- 7.2.20 Accordingly, despite the lack of evidence provided for the unsuccessful marketing of the office space, it is considered that on the basis of the information provided, the Council is satisfied that there is sufficient alternative employment land available elsewhere. Furthermore, the conversion to residential use would bring a benefit to the town centre with increased footfall and preservation and maintenance of the existing building.
- 7.2.21 Having regard to the above, the proposal is considered to accord with relevant Local Plan policies in land use terms. Accordingly, the development is considered to be acceptable in principle.

7.3 Affordable and Accessible Housing

Affordable Housing

- 7.3.1 Policy HO7 seeks to maximise affordable housing provision and applies a target of 25% to schemes above the applicable national thresholds on previously developed sites. The application site comprises previously developed land and the 25% target therefore applies, which in the case of this 26-dwelling scheme, equates to a target of 7 affordable homes once rounded up.
- 7.3.2 The application proposes no affordable housing and therefore would not achieve the target. In these circumstances, Policy HO7 provides that permission will only be granted where one of two exceptions is engaged: where it is robustly demonstrated that the target cannot be achieved owing to site-specific constraints resulting in higher than normal costs that affect viability (criterion (a)); or where meeting the requirements would demonstrably and significantly compromise other policy objectives (criterion (b)). In this case, the applicant relies on criterion (a) and has accordingly provided a financial viability assessment.
- 7.3.3 The applicant has provided a financial viability appraisal (FVA) that concludes on a 100% private basis and taking account of no financial contributions, the scheme will generate a negative residual land value of -£404,762.00. However, as the applicant is both the developer and the landowner, they are in a good position to monitor the financial performance. Further, sensitivity analysis indicates that some modest improvements in the economics of the scheme (i.e. build cost savings or uplift in sales values) could positively impact the viability of the scheme such that the conclusion is that whilst the scheme is unviable on current economics, it remains deliverable with no affordable housing.

- 7.3.4 The Council has had the FVA independently reviewed by Aspinall Verdi (AV). They conclude that the scheme would generate a negative outcome of -£135,753. Whilst the outcome is still an unviable development on a 100% private basis, the difference in the figures is explained by AV calculating build costs at over £200,000 less than the applicants FVA. They also agree with the applicants' FVA that small changes to the economics of the development could result in a positive impact to the financial situation and they agree that a review clause mechanism is a reasonable approach to this.
- 7.3.5 Whilst the viability evidence demonstrates that affordable housing cannot be supported on the basis of current costs and values, viability is not fixed and may improve as the development is built out and sold. To address this, a review mechanism has been agreed with the applicant and would be secured through a section 106 legal agreement. This provides an appropriate safeguard against the risk that the development proves more profitable in practice than the current appraisal indicates.
- 7.3.6 On the basis of this independently verified evidence, and with the protection afforded by the late-stage review mechanism, it is considered that the applicant has robustly demonstrated, in accordance with criterion (a) of Policy HO7, that the affordable housing target cannot be achieved for viability reasons. The proposal is therefore considered to accord with Policy HO7 of the Local Plan (updated 2026).

Accessible and Adaptable Housing

- 7.3.7 Policy HO11 (accessible and adaptable housing) requires at least 10% of dwellings within major residential developments should comply with optional standard M4(3) for wheelchair user dwellings with a further 40% complying with optional standard M4(2) for accessible and adaptable dwellings. It goes on to state that the Council will apply this policy flexibly in recognition that it may not always be appropriate to provide M4(2) or M4(3) dwellings. This will include instances where providing step-free access would not be technically feasible, would not be financially viable, or would otherwise compromise the delivery of sustainable development.
- 7.3.8 Part 4 of the submitted Design and Access Statement confirms that 100% of the units will conform to M4(2). Noting that the policy wording does not make provision of wheelchair dwellings mandatory, the development is considered to accord with Policy HO11 of the Local Plan (updated 2026).

7.4 Design and visual impact

- 7.4.1 Policy GD1 of the local plan requires development to respect and make a positive contribution to its location and surrounds. This sits under the strategic objective of Policy SP8 to ensure that development achieves the highest standards of design.
- 7.4.2 The Council's Design Guide SPD (2023) sets out that a high-quality environment is essential for providing a good quality of life. A well-designed and managed space not only provides a visually attractive environment but can also help to ensure that a place is easy to move around and within, is safe and secure, and is useful for all members of the community.
- 7.4.3 The existing building on the site was constructed by 1959 as part of the first phase of the construction of the New Town. The Queensway frontage has a regular grid, defined by vertical concrete fins with continuous rows of windows and concrete panels on the faced closest to Town Square and yellow mosaic panels on the façade closest to the Westgate

shopping centre entrance. Upper floors to the rear are similar material palette, interspersed with buff coloured brickwork.

- 7.4.4 The building is now dated and in relatively poor condition, however it nonetheless makes a positive contribution to the character and distinctiveness of the area as an important example of original New Town architecture.
- 7.4.5 Queensway from the application site southwards towards The Towers and the library is generally of a similar age and style, notably maintaining the regular three-storey flat roofed appearance. However, taking Queensway north beyond Queensway Chambers, the vernacular changes with the original three-storey buildings having undergone upwards extensions to create two additional floors for residential and leisure use, with the visual appearance of the original buildings maintained. Park Place is notable for the recent re-development that saw the original buildings replaced with new, modern flatted developments with retail at ground floor and the use of white render and large balconies.
- 7.4.6 The planned regeneration of the Town Centre would see many buildings replaced with taller buildings of a mixed residential/retail/commercial use. Other parts of the Town Centre have also received planning permission for re-development involving significantly taller buildings, such as the former BHS building, New Look, and the vacant Forum site. Whilst each application is assessed on its own merits, it is an important point of context that the Town Centre is undergoing significant change and taller buildings are part of this new character.
- 7.4.7 The design and access statement accompanying the application demonstrates an excellent understanding of this context and New Town design principles. This is reflected in the proposed design, which consists of a two storey upward extension, the refurbishment of the existing facade Queensway and a new two storey brick extension to the rear for a access to the upper floors.
- 7.4.8 The refurbishment would involve the cleaning and repair of the existing textured concrete panels, and like-for-like replacement of the existing smooth panels, which are now considered to be worn beyond repair. All of the existing windows would be replaced by double glazed, aluminium-framed windows of the same size and proportions. Additionally, the proposal also includes communal landscaped amenity areas to the rear and green roofs.
- 7.4.9 The first of the additional floors would be in line with the existing frontage and the second of the additional floors would be set back approximately 1.8m from the Queensway frontage to appear subservient and not over burden the visual character of the street scene.
- 7.4.10 It is acknowledged that the height increase in this particular part of Queensway would be a new introduction but given the planned regeneration of the Town Centre, it would not be out of keeping with its surroundings.
- 7.4.11 The two-storey extension to the rear would be finished in similar materials to the surrounding buildings and would not appear over dominant in the street scene. It would be seen in the context of the taller building to which it would attach and therefore appears subservient in the street scene. It would provide a modern and clean entrance to the residential units and rear entrance to the existing commercial properties.

- 7.4.12 Comments from the Herts Police Crime Prevention Design (CPD) Officer are noted in regard to the fact the submission does not include details of Secured by Design to both address carbon reductions and design out crime. Being a Town Centre location, the application site is within a higher-than-average crime site for anti-social behaviour, noise, assaults, and/or theft/burglary.
- 7.4.13 The CPD Officer advises that whilst they cannot fully support the application, they are not objecting to it. In response, the applicant provided a written statement advising that the design of the development introduces one main communal residential entrance to the rear with improved public realm in the form of new paving, sensitive lighting, high-quality materials, which together are expected to create a safe, legible and welcoming route for residents and visitors. In these respects, officers consider that the development would be appropriately safe and would not contribute to crime or the fear of crime, in accordance with Policy GD1 of the local plan.
- 7.4.14 Overall, it is considered that the proposed development would result in a very significant visual improvement to the building's Queensway facade. The refurbishment and replacement of the existing finishes would result in a clean and improved visual appearance to the Town Centre, albeit the new upper floors would temper this somewhat. The additional floors, whilst taller than the immediate surrounding Queensway buildings, would sit well with the taller buildings to the north in Queensway and to the east in Park Place and would not appear especially prominently in views from around the town centre.
- 7.4.15 Therefore, it is considered that the proposed development would have an acceptable impact on the character and appearance of the area. In this respect, the proposal accords with Policies SP8 and GD1 of the Local Plan, which require developments to be of a high quality and sympathetic to their surroundings.

7.5 Heritage Impacts

- 7.5.1 Policies SP13 and NH10 of the adopted local plan require developments affecting heritage assets to be determined in accordance with national policy, having regard to any relevant conservation area management plan.
- 7.5.2 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) says that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 7.5.3 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires local planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas in the exercise of their functions.
- 7.5.4 Paragraph 212 of the NPPF (2024) states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 7.5.5 Paragraph 213 goes on to state that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

- 7.5.6 Paragraph 215 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 7.5.7 Paragraph 216 says that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 7.5.8 The application site comprises units 40 to 60 Queensway with units 40 to 44 being located within the Town Square Conservation Area; adjoining building 21 to 29 Town Square is a building of local interest; nearby buildings 41-55 Queensway and 6 to 8 Town Square are buildings of local interest; and the nearby Clock Tower, Joy Ride sculpture, and Tiles Mural on Primark are Grade II listed buildings – see Figure 1 for an illustration of this.



Figure 1; Extract from Heritage Statement showing site (red line) in context of the Conservation area (yellow line) and local important buildings (yellow blocks) and listed structures (blue blocks)

- 7.5.9 The Town Square Conservation Area is included in Historic England's 'Heritage at Risk' Register noting its condition is poor, its vulnerability is medium, and its trend is deteriorating. The Town Square Conservation Area Management Plan (CAMP, 2012) requires extensions and alterations to not dominate an existing building's scale or alter the composition of the main elevations. It notes that buildings are three-storeys with flat roofs and development over three-storeys will not normally be granted.
- 7.5.10 The application has been accompanied by Heritage Assessment (HA) which has assessed the impact of the development against each of the identified heritage assets in detail.
- 7.5.11 In regard to the conservation area, the HA concludes that the refurbishment of the second floor into residential use would provide a sustainable and long-term use for the currently vacant use which would enhance the vitality of the town centre through increased footfall which would in turn improve the quality of the conservation area. It goes on to conclude that the additional massing, whilst visible in longer views from within the conservation area, would be seen against the context of the currently under construction works to the north and the set back of the fourth floor would minimise visual intrusion in the street

scene. Its design would match that of the existing floors below for visual cohesion and harmony. The rear extension adjoins the rear of buildings that are in the conservation area and would have a sensitive appearance with matching materials to surrounding buildings and design appearance. The inclusion of roof gardens and terraces would be a visual softening and improvement to the area. Overall, they conclude there would be a neutral impact on the conservation area.

- 7.5.12 In regard to the nearby listed buildings and local listed buildings, the HA concludes that there would be a negligible beneficial impact through visual improvements to the development site that would overall enhance the visual amenities of the surrounding area.
- 7.5.13 The Council's Heritage Advisor, BEAMS, have reviewed the application whilst they support the conversion of the existing building to residential use, they raise significant concerns over the upwards extension. They state that the upwards extension would disrupt the consistent, strong, linear, three-storey eaves line and the approved upwards extensions to the north should not be used as a precedent for this development.
- 7.5.14 They conclude that the harm to the conservation area is less than substantial, at the higher end of the scale and that the harm to the listed buildings and locally important buildings would be less than substantial at the lower end of the scale. Officers find no reason to disagree with this assessment.
- 7.5.15 In line with the NPPF, the identified harms should be weighed against the public benefits of the development. This test is applied in the conclusion of this report.

7.6 Impact on Neighbouring residential amenity

- 7.6.1 Policy GD1 of the local plan requires that developments do not have an unacceptable adverse impact on the amenities of neighbouring occupiers.
- 7.6.2 Policy FP7 requires all development proposals to minimise, and where possible, reduce air, water, light, and noise pollution. Planning permission will be granted when it can be demonstrated that the development will not have unacceptable impacts on general amenity and the tranquillity of the wider area.
- 7.6.3 The majority of the surrounding buildings are in commercial use as retail units at ground floor with associated storage and office space at first and second floor. However, there are residential units to the east in Park Place.
- 7.6.4 The proposed development is located a sufficient distance away from these properties so as not to appear overbearing. The submitted daylight and sunlight assessment also shows that there would be no adverse impact on these properties in terms of vertical sky component, daylight distribution, or annual probable sunlight hours.
- 7.6.5 In terms of the impact on neighbouring commercial uses, it is not considered that residential uses would pose a detrimental impact. The small loss of ancillary space to the rear of No.46 would not be detrimental to the retail operations of the premises.
- 7.6.6 Having regard to the above, it is considered that the proposed development would have an acceptable impact on the amenities of neighbouring occupiers. In this respect, the proposal accords with Policies GD1 and FP7 of the Local Plan.

7.7 Impact Upon Amenities of Future Residents

Internal Living Standards

- 7.7.1 Policies GD1 and SP8 of the Local Plan Partial Review (2026) relate to High Quality and Good Design. 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 sets out the minimum gross internal floor space standards for dwellings which is in line with the Government's nationally described space standards.
- 7.7.2 Following an assessment of the proposed plans, all apartments would meet the minimum space standards as set out in the NDSS adopted into the Local Plan. Given this, there would be adequate living space standards for any future occupiers of these properties.

Noise

- 7.7.3 Policy FP8 stipulates that permission for pollution sensitive uses will be granted where they will not be subjected to unacceptably high levels of pollution exposure from either existing, or proposed, pollution generating uses.
- 7.7.4 The surrounding noise environment acts as a significant constraint on the proposed development. The proposed flats are a noise-sensitive use, and they would be located above retained retail units, which take deliveries to the rear of the building and often make use of noisy plant. It would be unacceptable for the proposed development to result in restrictions being placed on these existing businesses due to noise complaints from future residents, not just because it would violate the agent of change principle as set out in the NPPF but also because the town centre is the Borough's most important retail destination.
- 7.7.5 Following discussions with the applicant and the Council's Environmental Health officers, it has been determined that the development can be designed in such a way as to provide an acceptable noise environment for future occupants.
- 7.7.6 Given this, if members are minded to grant planning permission, then a condition could be imposed to ensure that the proposed development is constructed in accordance with the mitigation measures as set out in the submitted Noise Impact Assessment to ensure the development can adequately mitigate any noise impacts.

Private amenity space

- 7.7.7 In respect to private amenity space, the Design Guide SPD (2025) states that in flatted developments, the Council will aim to achieve a minimum useable communal area of 50sqm, and for those over 5 units the area should equate to 10sqm per unit. However, it does note that flats may be excluded from the provision of amenity space where centrally located and public open space is easily accessible, for those developments where communal space is not provided, then balconies or terraces are an acceptable alternative.
- 7.7.8 This could well apply to the current proposal, which is for flats located in the heart of the town centre, where there are a number of public open spaces within easy reach. However, the application nonetheless proposes a good amount of amenity space.
- 7.7.9 The first of the new upper floors would be set back from the rear elevation to allow for a 3.6m deep shared garden/community amenity area which will run the entire length of the development. This would include seating and planting/landscaping and comprises approximately 220sqm.

- 7.7.10 The second of the new upper floors would be set back from both the front and rear elevations such that small balconies can be incorporated to the front and no blockage of the aforementioned amenity space on the floor below. The balconies would vary between 10sqm and 20sqm. This is considered acceptable.
- 7.7.11 All flats would have access to the shared space as described in 7.7.9 and whilst 220sqm between 26 flats would not amount to 10sqm per unit, given the central town centre location with easy access to the excellent Town Centre Gardens just 5 minutes' walk from the site, the overall provision is considered acceptable.
- 7.7.12 Taking all the above into account, it is considered that the proposed development would offer a very good standard of accommodation. The proposed units would be of an adequate internal size and occupiers would benefit from access to either shared or private amenity space of a good level which is unusual for central town centre locations and is considered a benefit of the proposal. Future residents would also benefit from an acceptable noise environment. In these respects, and subject to the recommended conditions, the proposal is considered to accord with Policies SP8, GD1 and FP8 of the Local Plan.

7.8 Car Parking and Cycle Provision

Car parking

- 7.8.1 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 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.
- 7.8.2 The Parking Provision SPD requires one-bedroom flats to have 1 space and two-bedroom units to have 1.5 spaces. This amounts to 28 spaces once rounded up.
- 7.8.3 However, a discount could then be applied according to the site's accessibility. The application site is located in the Town Centre Residential Accessibility Zone whereby the reduction is between 75% and 100%. The requirements are therefore between 0 spaces (i.e. car-free) and 7 spaces for reduced provision.
- 7.8.4 The town centre is seen as the one place in the Borough where sustainable modes of transport may be entirely relied upon to serve new development, owing to its excellent public transport accessibility. Developers of car-free schemes may however be asked to contribute towards parking controls on surrounding streets to mitigate the potential impact of overspill car parking. They are also encouraged to contribute towards car-sharing schemes in order to discourage the use of private vehicles.
- 7.8.5 In this case, car-free development is considered to be appropriate given the site's very central location and excellent access to amenities and public transport. Officers are also mindful that there is no vehicular access to the front of the development and the land to the rear is not in the applicant's ownership and comprises an access road, service yard, and public pay & display parking so could not be utilised for private parking for the development.

- 7.8.6 Herts County Council as Highways Authority (HA) have reviewed the application and raised no concerns or objections. They note that the scale of development is anticipated to generate a similar number of vehicular trips as the existing use and therefore would be unlikely to result in a material increase or change in the character of traffic in the vicinity. They have requested conditions for a construction management plan and that the proposed cycle and bin storage areas are installed prior to occupation. These can be secured via the imposition of suitably worded conditions.

Cycle Storage

- 7.8.7 The Council's Parking Provision SPD (2025) requires 1 long-term space per bedroom and 1 short-term space per 40 units. On the basis of the 26 units providing 29 bedrooms, the total requirement for cycle storage would be 29 long-term spaces and 1 short-term visitor space.
- 7.8.8 The proposal only includes for 24 spaces, arranged in single-tier Sheffield stands, which is a deficit of 6 spaces and therefore contrary to Policy IT5.
- 7.8.9 Having regard to all of the above, the proposal is considered to be contrary to Policy IT5 because of an overall lack of cycle parking provision. However, in all other respects, it is considered to be consistent with the policy.

7.9 Impact on the Environment

- 7.9.1 The application site is an existing commercial building in the town centre and would have been fields prior to its construction. Therefore, there would be very low risk of contamination.
- 7.9.2 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

- 7.9.3 The application site is not located within a Source Protection Zone, and no concerns have been raised by Affinity Water or Thames Water with respect to potential impact from the development.

Air Quality

- 7.9.4 Policy FP7 of the adopted Local Plan (updated 2026) 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).
- 7.9.5 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.

- 7.9.6 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 NO₂ emissions which, in accordance with IAQM/EPUK guidance, is identified as having a negligible impact at all receptors in the area. As such, the need for additional mitigation has not been identified as being required. As such, the Council's Environmental Health Section has not raised any concerns with respect to the operational impact the development would have on air quality.

Light Pollution

- 7.9.7 In terms of light pollution, Policy FP7: Pollution of the adopted Local Plan (updated 2026) 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.
- 7.9.8 Turning to the operational side of the development, the development would be set back from the main highways and therefore any external lighting is not considered to prejudice highway safety or cause a substantive nuisance to neighbouring residential properties.
- 7.9.9 In terms of lighting associated with the construction aspect of the proposed development, this is dealt with as part of a Construction Management Plan.

7.10 Development and Flood Risk

- 7.10.1 In the emerging Local Plan Partial Review and update (2026), 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.
- 7.10.2 The application proposes only a small increase in footprint of the building through the addition of the two-storey rear extension; however, it should be noted that this extension would be constructed on land that is already hard surfaced and therefore no increase in hard surfaces is proposed.
- 7.10.3 As the application is considered a major application, it has been accompanied by a flood risk assessment (FRA) and drainage strategy. The site located wholly within Flood Zone 1 which has a less than 0.1% annual probability of flooding. Additionally, the Environment Agency's Long Term Flood Risk Map (surface water) categorises the northern part of the site as being at very low risk (less than 0.1%) and the southern part of the site as being low risk (1% - 3.3%) of surface water flooding. A small area to the south-west is classified as being at high risk (over 3.3%) chance of surface water flooding.

- 7.10.4 Flood depth mapping indicates depths across the majority of the site remaining below 20cm in all scenarios, even for the higher risk areas of the site which are passable by people and vehicles.
- 7.10.5 The recommended drainage hierarchy is for water to be collected for re-use, then utilising soakaways or infiltration, followed by discharging to an appropriate watercourse or, lastly, discharge to surface water sewer or drainage system. In this instance, the FRA sets out that water re-use is not feasible in a change of use scenario, the constriction of the site boundary means discharge to a soakaway is also not feasible and the site is separated from the Stevenage Brook by third-party land so discharge to watercourse is not possible. Give this, the FRA sets out that the proposal will discharge to surface water sewer.
- 7.10.6 Herts County Council as Lead Local Flood Authority (LLFA) have reviewed the application and initially raised an objection solely relating to the surface water flood risk and how it pertains to access and egress of the building by people if flooded.
- 7.10.7 Following this request, an updated FRA was submitted to the LLFA for review. In this update, and accompanying letter, it notes that the proposal is for the conversion of the existing building with upper floor extensions and as such raising of existing floor levels is not possible. Notwithstanding this, it notes that given the depths of flooding likely to be experienced in this zone, i.e. 20cm, that safe access and egress could be achieved without any mitigations needed. They assess the site as being negligible to low risk of flooding from all sources of flood risk during present day and climate change events.
- 7.10.8 Officers note that in any event, the only development proposed at ground floor level is the entrance lobbies and stair cores. Consequently, even during the most severe event, the proposed flats would not be flooded.
- 7.10.9 The LLFA have provided an updated response that they are satisfied with the information provided and remove their objection, subject to a condition that requires the submission of a flood emergency plan prior to occupation of the development. Subject to this condition, the proposal accords with Policies FP1 and FP2 of the local plan

7.11 Landscaping, Biodiversity, Ecology and Protected Species

- 7.11.1 Policy NH5 of the adopted Local Plan states that development proposals will be expected to protect and retain individual trees within the development site and should include new planting where appropriate. Policy SP12 requires development proposals to have an acceptable impact on green infrastructure and the natural environment.
- 7.11.2 There are no trees on the application site, and none are proposed due to the nature of the site.
- 7.11.3 With regards to landscaping, the site comprises approximately 230sqm of communal amenity space on the upper floor and green roofs where appropriate. No plans have been provided at this stage but could be reasonably secured via the imposition of suitably worded condition.
- 7.11.4 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.

- 7.11.5 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.
- 7.11.6 In this instance, the development meets the *De Minimis* exemption because it does not impact on onsite priority habits and impacts less than 25sqm of onsite habitat and less than 5m linear length of hedgerow.
- 7.11.7 Notwithstanding this, whilst the site is exempt, it should be noted that the provision of communal landscaped amenity areas and green roofs will provide some biodiversity value. It is also recommended to secure swift bricks via suitably worded condition.
- 7.11.8 Having regard to the above, and subject to the recommended condition, it is considered that the proposed development would have an acceptable impact on ecology and biodiversity and a lack of provision of new trees is acceptable in this instance in this location. In this respect, the proposal accords with Policies NH5 and SP12 of the Local Plan.

7.12 Climate Change

- 7.12.1 Policy CC1 of the local plan says that where appropriate, and subject to considerations including development viability, major developments should be net-zero carbon in operation. Policy CC3 requires residential developments to achieve wholesome water use of no more than 110L per person per day.
- 7.12.2 The application is accompanied by an Energy and Sustainability Statement which sets out in great detail how the development will be sustainably constructed and the measures to incorporate climate adaptations.
- 7.12.3 The refurbishment of the existing building is expected to achieve a 42% reduction in carbon emissions whilst the construction of the additional floors is expected to achieve a 16% reduction which are significant improvements to the performance of the existing building. Whilst this falls short of being net-zero, the proposed reduction in emissions vs the Building Regulations is considered acceptable in view of the fact that the development is not financially viable as submitted and pursuing further emissions reductions would materially worsen the viability position. In this respect, the proposal accords with Policy CC1.
- 7.12.4 Energy efficient appliances, heating, and lighting, water efficiency of less than 105l per person per day, as well as locally sourced materials for construction where possible are all proposed. The proposed level of water efficiency is in accordance with Policy CC3.

7.13 Waste and Recycling

- 7.13.1 Policy GD1 and the Design Guide (2025) state that provision should be made within new developments for the storage and collection of waste.
- 7.13.2 Using the Council's Environmental Operations teams' calculator, there would be a requirement for 12no. 360l recycling vessels, 3no. 240l food waste vessels, and 3no. 1,100l waste vessels. A total space requirement of 8,340 litres.

- 7.13.3 The submitted plans show a bin store at the rear of the building that details 5no. 660l recycling vessels, 2no. 240l food waste vessels, and 5no. 1,100l waste vessels. Whilst this composition is not aligned with the Council's requirements, it does show a bin store capable of accommodating over 9,200 litres of bin space. As such, it is considered that the proposed bin store could accommodate the lesser volume as required by the Council. A condition can be imposed to secure this.
- 7.13.4 Given the aforementioned, with an appropriate condition in place, suitable refuse and recycle storage facilities can be delivered to meet Policy GD1 of the Local Plan and the Design Guide SPD (2025).

7.14 Community Infrastructure Levy

- 7.14.1 The Stevenage Borough Council adopted its revised Community Infrastructure Levy (SCIL2) Charging Schedule 22 July 2026. This allows the Council to collect a levy to fund infrastructure projects based on the type, location and floor space of a development, in line with the following rates (plus indexation):

Table 1: SCIL2 charging rates for all development in Stevenage		
Development Type	CIL Rate (£ per Square metre)	
	Zone 1: Stevenage Central	Zone 2: Everywhere else
Residential		
Market Housing	£50/m ²	£120/m ²
Sheltered Housing	£120/m ²	
Extra care Housing	£50/m ²	
Retail Development	£75/m ²	
Industrial Development	£40/m ²	
All Other Development	£0/m ²	

- 7.14.2 SCIL2 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 SCIL2 charge exist and will be taken into account in the calculation of the final SCIL2 charge.
- 7.14.3 SCIL2 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.

7.15 Developer Contributions

- 7.15.1 Developer contributions are the means by which new development is required to contribute towards the infrastructure and other measures needed to mitigate its impacts. They take two principal forms: planning obligations, secured by way of a legal agreement under section 106 of the Town and Country Planning Act 1990; and the Community Infrastructure Levy (CIL), a charge levied on new floorspace under the Community Infrastructure Levy Regulations 2010.
- 7.15.2 Planning obligations secured under a section 106 agreement are the second form of contribution. Where an obligation does not arise from a specific policy requirement elsewhere in the development plan, they are secured under Policy SP5, the Council's strategic infrastructure policy. This requires new development to contribute fairly towards the demands it creates and lists a broad range of infrastructure and measures towards which contributions may be sought.
- 7.15.3 However, for any obligation to be taken into account, it must also satisfy the three statutory tests in Regulation 122 of the Community Infrastructure Levy Regulations 2010: it must be (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.
- 7.15.4 A number of candidate obligations have been identified in connection with this scheme:
- Affordable housing (addressed in full in the affordable housing section above);
 - An employment and skills plan, setting targets for the proportion of construction-phase employment to be filled by Borough residents and for the provision of apprenticeships, with financial penalties where reasonable endeavours to meet those targets are not made;
 - A contribution of £50,695 towards primary education, requested by Hertfordshire County Council;
 - A contribution of £41,404 towards secondary education, requested by Hertfordshire County Council;
 - A contribution of £8,034 towards electric vehicle charging points at the East of England Ambulance Stevenage Hub building; and
 - A contribution of £5,000 towards the Council's cycle hire scheme, as suggested by the Council's Developer Contributions Supplementary Planning Document.
- 7.15.5 Affordable housing is itself a planning obligation and is recorded here for completeness. As set out in the affordable housing section above, the independently verified viability evidence demonstrates that no affordable housing can be supported at the present time, but a late-stage review mechanism would be secured through the section 106 agreement to capture any improvement in viability over the course of the development.
- 7.15.6 The employment and skills obligations are capable of being secured notwithstanding the viability position because they operate on a reasonable-endeavours basis rather than requiring a fixed financial contribution that the scheme cannot support.
- 7.15.7 The requested contribution of £8,034 towards the installation of electric vehicle charging points at the Stevenage ambulance hub is considered to fail the first of the Regulation 122 tests. The installation of EV charging points at an independent location would have no direct link to the proposed development and the requested contribution is therefore not necessary to make the development acceptable in planning terms.

- 7.15.8 The remaining obligations (i.e. the primary and secondary education contributions and the cycle hire contribution) are each assessed to be compliant with Regulation 122. They are necessary, directly related to the development, and fairly and reasonably related in scale and kind to it, and would ordinarily be sought under Policy SP5.
- 7.15.9 Whilst the independently verified viability evidence demonstrates that the development cannot support financial contributions, it also concluded that small changes to the economics of the development could result in a positive impact to the financial situation. In light of this, the applicant has agreed to the full value of the cycle hire contribution.
- 7.15.10 Further, they have agreed to a contribution towards education as sought by Herts County Council; however, there are ongoing negotiations as to what level of contribution can reasonably be provided. The applicant has agreed to a late-stage review clause to be included to secure uplift in profits towards education (shared with the Council for affordable housing). Should members be minded to grant planning permission then it is requested that this be delegated to the Director of Planning and Regulation to finalise.
- 7.15.11 Monitoring fees will also be required for both the Council and HCC to cover the cost of administering the above obligations.

7.16 Equality, Diversity and Human Rights

- 7.16.1 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.
- 7.16.2 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.
- 7.16.3 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.
- 7.16.4 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.
- 7.16.5 In terms of inclusive access, in accordance with Policy HO11: Accessible and Adaptable Housing of the adopted Local Plan (2026), as this is a major scheme, at least 50% of all new dwellings will need to be category 2: accessible and adaptable dwellings. There is no mandatory requirement to provide wheelchair accessible dwellings and subsequently, no requirement to provide disabled parking or accessible cycle storage.
- 7.16.6 In the absence of any other apparent ways in which the development might impact persons with protected characteristics, it is considered that a decision to grant planning permission would be in accordance with the PSED.

8. CONCLUSIONS

- 8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the application be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the Council's most recent Housing Delivery Test result means that the policies most important for determining the application are to be treated as out-of-date. The presumption in favour of sustainable development at paragraph 11(d) of the National Planning Policy Framework is therefore engaged, with the consequence that permission should be granted unless the circumstances identified at paragraphs 11(d)(i) or 11(d)(ii) apply.
- 8.2 The proposed development would provide 26 residential units which makes a meaningful contribution towards meeting the borough's housing requirements, on a suitable, well-connected brownfield site, at a time when housing supply in the Borough is significantly constrained. Having regard to paragraph 73(d) of the Framework, this benefit attracts great weight in favour of granting permission. The application has demonstrated that the scheme would be capable of providing a good standard of accommodation.
- 8.3 It has been established that the proposed development accords with Policy HO5 as the site would be located on land which meets the definition of previously developed land as stated within the NPPF. Paragraph 125(c) of the NPPF places substantial weight on reusing brownfield sites and states that proposals should be supported unless substantial harm would be caused.
- 8.4 There would be some economic benefit during the construction phase, and future occupiers would be likely to contribute to local services and facilities. These economic benefits attract moderate weight in favour of the application.
- 8.5 A car-free development is considered acceptable in this highly sustainable central town centre location, which is a neutral matter. Additionally, HCC Highways have determined that the development would not harm highway safety.
- 8.6 The proposed development would have an acceptable impact on the amenities of neighbouring occupiers, would be acceptable in terms of private amenity space, and the collection of waste and recycling is likely to be acceptable, all in accordance with the adopted Design Guide SPD and Policy GD1 of the Local Plan (updated 2026); these are neutral matters.
- 8.7 The proposed development would not have a detrimental impact on nearby trees or ecology. Moreover, the proposed development would be a sustainable form of development where it would be energy efficient and adaptable to climate change.
- 8.8 The proposal has been assessed to be acceptable in regards to impacts on the vitality and viability of the Town Centre in accordance with Policy TC8 as the existing retail floorspaces and active frontages on Queensway would be retained with staff access and welfare facilities maintained to ensure the proposal would not undermine the use of these retained premises.
- 8.9 The development would cause less than substantial harm, at the higher end of the scale, to the Town Square Conservation Area and would cause less than substantial harm at the lower end of the scale to the setting of the nearby listed buildings and locally important buildings. In accordance with paragraph 212 of the Framework, great weight is afforded to the conservation of these designated heritage assets. The harm requires clear and convincing justification and must be weighed against the public benefits of the proposal.

- 8.10 It is considered that the harm is clearly and convincingly justified by the pressing need to deliver additional housing and to make effective use of well-connected previously developed land. Weighing the high level of less than substantial harm against the very significant public benefits of housing delivery on a suitable brownfield site, together with the moderate economic benefits, it is concluded that the public benefits of the development outweigh the harm to the heritage assets. It follows that the heritage policies of the Framework do not provide a clear reason for refusing the application, and the presumption is not disengaged by paragraph 11(d)(i).
- 8.11 The development has been identified as being unviable for the provision of affordable housing, but the applicant has robustly justified this position in compliance with Policy HO7.
- 8.12 By reason of its viability, the development would not fully contribute towards mitigating the pressures it would place upon primary and secondary education provision, contrary to Policy SP5. However, the applicant has agreed to a contribution, at a level that is yet to be agreed by all parties. The weight attributed to this harm is limited, given that the development would comprise exclusively smaller units, all but three of them being one-bedroom flats, which are less likely to be occupied by families with children of school age.
- 8.13 The proposal conflicts with Policy IT5 through a substandard provision of cycle storage (six spaces), however, the applicant has agreed to a financial contribution towards the Council's cycle hire scheme.
- 8.14 In all other respects, including the viability-tested affordable housing position, the proposal is considered to be acceptable and in accordance with the relevant policies. These matters are neutral in the balance.
- 8.15 Drawing all of these matters together, the benefits of delivering 26 good quality dwellings on a well-connected brownfield site, at a time when housing supply in the Borough is significantly constrained, are considered to outweigh the harms that have been identified. It is therefore concluded that the proposal accords with the development plan when read as a whole. Having regard to the policies of the Framework taken as a whole and, particularly noting the emphasis it places on making effective use of land in sustainable locations, the adverse impacts of granting permission would not significantly and demonstrably outweigh its benefits. It follows that planning permission should be granted.
- 8.16 The presence of an extant prior approval application (24/00786/CPA) for the site is also highly material. Prior approval has been granted for the change of use of the upper floors of 40-56 Queensway, which would provide 18 flats. The Government has also recently amended the General Permitted Development Order with the effect that the vacancy and overall size limitations have been removed. It is therefore highly likely that the remainder of the existing building could be converted under this regime.
- 8.17 Should this prior approval scheme be implemented, it would not involve the upward extension of the building. However, it would also not provide a refurbishment of the existing facades or outdoor amenity space, nor would it necessitate contributions towards primary education, affordable housing, or local employment and skills. The current proposal is therefore considered to be a considerable improvement upon this alternative application, and this only serves to reinforce the view that a decision should be made in accordance with the development plan and NPPF.

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:-
- A clawback mechanism to secure financial contributions in lieu of affordable housing;
 - A contribution towards primary and secondary education with a clawback mechanism;
 - A Contribution towards the Council's Cycle Hire scheme;
 - Apprenticeships and construction jobs;
 - Monitoring fees.

SUBJECT TO THE FOLLOWING CONDITIONS/REASONS

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
1294.11.02.001; 1294.11.02.002; 1294.11.01.030; 1291.11.02.010; 1291.11.02.011; 1291.11.02.012; 1291.11.02.013; 1291.11.02.100; 1291.11.02.101; 1291.11.02.102; 1291.11.02.103; 1291.11.02.103; 1291.11.02.104; 1291.11.02.105; 1291.11.02.200; 1291.11.02.201; 1291.11.02.202; 1294.11.02.020; 1294.11.02.021; 1294.11.02.022;
REASON:- For the avoidance of doubt and in the interests of proper planning
- 2 The development to which this permission relates 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 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:- In the interests of the living conditions of neighbouring occupiers and highway safety.
- 5 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken and where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be submitted to and approved in writing by the local planning authority.

REASON:- To prevent unacceptable risks to human health as a result of contamination.

- 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 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).

- 9 The development to which this permission relates shall be carried out in accordance with Energy and Sustainability Statement, Reference MB/VL/P25-3606/01, prepared by Create Consulting Engineers Ltd and dated October 2025 unless otherwise agreed in writing by the local planning authority.

REASON:- To ensure that the development mitigates and adapts to the negative effects of climate change.

- 10 No development shall commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the local planning authority, in consultation with the Highway Authority. This should be based on the Hertfordshire's Construction Management Template available from <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx#managementplans>. The development shall be carried out in accordance with the approved Construction Management Plan.

REASON:- In the interests of the living conditions of neighbouring occupiers and highway safety.

- 11 No development shall take place above slab level until a schedule and samples of the materials to be used in the construction of the external surfaces and hard landscaping of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and permanently retained as such thereafter.

REASON:- To ensure the development has a high quality appearance.

- 12 No development shall take place above slab level until details of swift bricks to be provided within the development have been submitted to and approved in writing by the local planning authority. The development shall then be carried out in accordance with the approved details.

REASON:- To ensure that the development enhances the natural environment.

- 13 Prior to the first occupation of the dwellings hereby permitted, the cycle storage facilities as shown on approved plan 1291.11.02.100 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.
- 14 Prior to the first occupation of the dwellings hereby permitted the general waste and recycle stores as shown on approved plan 1291.11.02.100 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.
- 15 Prior to the first occupation of the development to which this decision relates, a scheme of mechanical ventilation shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be installed in full prior to first occupation and thereafter be permanently retained as such unless otherwise agreed in writing by the local planning authority.
REASON:- To ensure acceptable living conditions as regards environmental noise and offensive odour for future occupiers of the development.
- 16 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.
- 17 Prior to the first occupation of the development, a Flood Emergency Plan shall be submitted to and approved in writing by the Local Planning Authority.
REASON:- To ensure the flood risk is adequately addressed, not increased and users remain safe for the lifetime of the development.

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 **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).

3 **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>

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>

5 **Thames Water**

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

6 **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. Application forms should be completed on line via 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, Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB.

- 7 **UK Power Networks**
Please note there are HV/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 at UK Power Networks, Fore Hamlet, Ipswich, IP3 8AA.
- 8 **Herts Police Crime Prevention Design Advisor**
Prior to construction the developer is advised to contact the Hertfordshire Constabulary CPDS with a view to seeking to achieve accreditation to the Police preferred minimum security standard that is Secured by Design. The reason for this is to ensure that the development is compliant with both National and Local Planning Policies, in addition, this will also demonstrate the discharge of obligations under Approved Document 'Q' - Security of Building Regulations".
- 9 **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**
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>
- 12 **Hertfordshire County Council as Highways Authority**
Parking and Storage of materials: The applicant is advised that all areas for parking, storage, and delivery of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.

- 13 **Environmental Health**
During the demolition and construction phase of the development, the guidance in BS5228-1:2009 (Code of Practice for Noise Control on Construction and Open Sites) should be adhered to.
- 14 **Community Infrastructure Levy**
Stevenage Borough Council adopted its revised Community Infrastructure Levy (SCIL2) Charging Schedule at Full Council on 10 June 2026 and started implementing SCIL2 on 22 July 2026.
- 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 may be imposed. NB, please note that a Commencement Notice is not required for residential extensions if relief has been granted.
- Stevenage's adopted SCIL2 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.
- 15 **SBC Engineering Department**
In any areas where works are proposed that affect the public streets on Danestrete, Westgate, The Forum or Queensway, separate consent will need to be sought from the Council's Engineering Service prior to the commencement of development. They can be contacted on engineers@stevenage.gov.uk.

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 application file, forms, plans and supporting documents having the reference number 16/00482/FPM, relating to the extant planning permission on the site. <https://publicaccess.stevenage.gov.uk/online-applications/>
- 3 The Stevenage Borough Local Plan 2011-2031
<https://www.stevenage.gov.uk/planning-and-building-control/planning-policy/local-plan>
- 4 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>
- 5 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>

- 6 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.