Planning Inspectorate

Report to Stevenage Borough Council

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an Inspector appointed by the Secretary of State

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Planning and Compulsory Purchase Act 2004 (as amended and applied by the Levelling-up and Regeneration Act 2023 (Commencement No. 11 and Saving and Transitional Provisions) Regulations 2026)

Report on the Examination of the Stevenage Local Plan 2011-2031 Partial Update

The Plan was submitted for examination on 15 August 2025

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Abbreviations used in this report

AAP	Area Action Plan
HRA	Habitats Regulations Assessment
MM	Main Modification
NPPF	National Planning Policy Framework
PPG	Planning Practice Guidance
SA	Sustainability Appraisal
SFRA	Strategic Flood Risk Assessment
SHMA	Strategic Housing Market Assessment
SoCG	Statement of Common Ground
SPA	Special Protection Area
SPD	Supplementary Planning Document
SuDS	Sustainable Drainage Systems
WMS	the Written Ministerial Statement on local energy efficiency standards (December 2023)

Non-Technical Summary

This report concludes that the Stevenage Local Plan 2011-2031 Partial Update (along with the adopted Stevenage Borough Local Plan 2011-2031) provides an appropriate basis for the planning of the Borough provided that a number of main modifications (MMs) are made to it. Stevenage Borough Council (the Council) has specifically requested that I recommend any MMs necessary to enable the Partial Update Plan to be adopted.

Following the hearings, the Council prepared schedules of the proposed modifications and, where necessary, carried out sustainability appraisal (SA) and habitats regulations assessment (HRA) of them. The MMs were subject to public consultation over a six-week period. I have recommended their inclusion in the Plan after considering the SA, HRA and all the representations made in response to consultation on them.

The MMs can be summarised as follows:

- MMs to ensure the new climate change policies are effective, justified by the evidence base and are sufficiently flexible to ensure they do not prejudice the delivery of development in the Borough and to delete Policy CC5: Carbon Sinks because it is not justified or effective.
- MMs to the partial updates to the housing elements of the adopted Plan to make clear that the housing requirement remains unchanged as a result of the Partial Update Plan.
- MMs to replace the proposed requirement for M4(3)(2)(b) wheelchair accessible dwellings with the requirement for M4(3) wheelchair user dwellings because the specific requirement for M4(3)(2)(b) dwellings is not justified.
- A number of other modifications to ensure that the Partial Update Plan is positively prepared, justified, effective and consistent with national policy.

Introduction

1. The Partial Update of the Stevenage Borough Local Plan 2011-2031 Schedule of Changes from Regulation 18 to Regulation 19 (CD2c) and the Partial Update of the Stevenage Borough Local Plan 2011-2031 Schedule of Changes from Regulation 19 to Pre Submission (CD2b) (combined for ease of referencing into CD3) (referred to together hereafter as the Partial Update Plan) upon adoption will update parts of the adopted Stevenage Borough Local Plan 2011-2031 (CD1) (the adopted Plan).

2. This report contains my assessment of the Partial Update Plan in terms of Section 20(5) of the Planning and Compulsory Purchase Act 2004 (as amended) and as applied by Regulation 4 and paragraph 2 schedule 1 of the Levelling-up and Regeneration Act 2023 (Commencement No. 11 and Saving and Transitional Provisions) Regulations 2026. It considers whether the Partial Update Plan is compliant with the relevant legal requirements (including in terms of the Town and Country Planning (Local Planning) (England) Regulations 2012, also as applied by Regulation 4 and paragraph 2 schedule 1 of the Levelling-up and Regeneration Act 2023 (Commencement No. 11 and Saving and Transitional Provisions) Regulations 2026) and whether it is sound.

3. In December 2024, the revised National Planning Policy Framework (NPPF) alongside other revisions to national policy were published. Paragraph 235 of that document indicates that the Partial Update Plan should be examined against the version of the NPPF published in December 2023 because it was consulted on under Regulation 19 of the 2012 Regulations before 12 March 2025 and includes a draft housing requirement[1] which is more than 80% of local housing need calculated according to the revised standard method published in December 2024. Therefore, when I refer to the NPPF in this report, I am referring to that published in December 2023.

4. The NPPF (paragraph 35) explains that in order to be sound, a local plan should be positively prepared, justified, effective and consistent with national policy. The starting point for the examination is the assumption that the Council have submitted what it considers to be a sound plan. The Partial Update Plan was submitted in August 2025 and is the basis for my examination. The Council undertook two consultations under Regulation 19 of the 2012 Regulations. The document published for consultation in June 2025 included further changes which superseded those detailed in the previous consultation. The document published for consultation under Regulation 19 of the 2012 Regulations in June 2025 is the same as the document that was submitted in August 2025.

[1] The housing requirement is detailed in the adopted Plan and the Council does not seek to amend it through the Partial Update Plan see Issue 3 for further details.

Main Modifications

5. In accordance with section 20(7C) of the 2004 Act the Council requested that I should recommend any MMs necessary to rectify matters that make the Partial Update Plan unsound and / or not legally compliant and thus incapable of being adopted. My report explains why the recommended MMs are necessary. The MMs are referenced in bold in the report in the form MM1, MM2 etc, and are set out in full in the Appendix.

6. Following the examination hearings, the Council prepared a schedule of proposed MMs and, where necessary, carried out SA and HRA of them as explained below. The MM schedule, SA and HRA were subject to public consultation for six weeks. I have amended the detailed wording of **MM34** from that consulted upon, the reason for this amendment is explained under Issue 3 of the report.

Policies Map

7. The Council must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Council is required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted local plan. In this case, the submission policies map is the plan identified as the Partial Update of the Stevenage Borough Local Plan 2011 – 2031: Submission Draft Policies Map (August 2025) (CD4).

8. The changes detailed in CD4 are limited. They involve the "Correction of an error to the southern boundary of the Old Town High Street Conservation area" which is a matter for the Council and the "Deletion of Policy TC10: Primary and Secondary Shopping Frontages" (CD23) which is discussed under Issue 4 below. No further changes were proposed to the submission policies map alongside the consultation on the MMs.

9. When the Partial Update Plan is adopted, in order to comply with the legislation and give effect to its policies, the Council will need to update the adopted policies map to include the changes proposed in CD4.

Context and Scope of the Partial Update Plan

10. The Council undertook a review of the adopted Plan and concluded that only parts of it required updating at that time and thus only a partial update to the adopted Plan was required. The Council's process for reaching this decision is summarised in a briefing note (CD15 and CD16). Sections of the adopted Plan

which would be unchanged by the Partial Update Plan are outside of the scope of my examination.

11. In 1946 Stevenage was selected as the location for the first 'new town', one of eight in the Greater London area. The new town was developed alongside the historic market town to create a series of distinctive urban neighbourhoods with a pedestrianised commercial centre. Stevenage is well connected to London and the north because it is centred on a railway station on the East Coast Main Line and on the A1(M). However, it has a growing proportion of older residents, some areas of acute deprivation and parts of the new town particularly in and around the town centre are in need of regeneration.

12. The Partial Update Plan, in summary, seeks to update the adopted Plan to reflect the Town and Country Planning (Use Classes) Order 1987 (as amended) (the Use Classes Order) and add a degree of flexibility to its town centre policies intended to assist regeneration. It also introduces new strategic and non-strategic climate change related policies intended to reflect the Council's net zero ambitions. Furthermore, it updates housing policies to address the needs of older people and wheelchair users, adjusts affordable housing requirements and incorporates work undertaken on the Station Gateway Area Action Plan into the adopted Plan.

Public Sector Equality Duty

13. I have had due regard to the aims expressed in S149(1) of the Equality Act 2010. This has included my consideration of several matters during the examination including Policy SP3: A strong, competitive economy, Policy SP5: Infrastructure, Policy SP6: Sustainable Transport, Policy SP7: High quality homes, Policy IT5: Parking and access, Policy HO4: South East of Stevenage, Policy HO11: Accessible and adaptable housing, Policy HO14: Houses in Multiple Occupation, Policy GD1: High quality design, Policy HC3: The Health Campus and Policy HC5: New health, social and community facilities. The Council's Equalities Impact Assessment (CD6) demonstrates that the Partial Update Plan would be unlikely to lead to any adverse impacts or cause discrimination to any particular groups with protected characteristics within the plan area or beyond and I find no reason to disagree with its findings. The Council updated its assessment in light of the MMs (MMC5) and reached the same conclusions which I am also in agreement with.

Assessment of Legal Compliance

14. The Partial Update Plan has been prepared in accordance with the Council's Local Development Scheme (EB3.11).

15. The Council's Consultation Statement (CD8a and CD8b) summarises the consultation and engagement undertaken and explains how the response has informed the Partial Update Plan. Consultation on the Partial Update Plan and the MMs was carried out in compliance with the Council's Statement of Community Involvement (EB3.12) and the 2012 Regulations.

16. The Council have carried out a SA and HRA of the Partial Update Plan. This was contained in a series of combined SA and HRA reports (CD5, CD5a-CD5d) which were published along with the Partial Update Plan and other submission documents under Regulation 19 of the 2012 Regulations. The SA and HRA report was updated to assess the effect of the MMs (MMC4). The Council's SA appropriately assesses all reasonable alternatives including the MMs. The SA is robust and legally compliant.

17. The Council's HRA screening report (CD5) identified that the Partial Update Plan could have a likely significant effect on the Lee Valley Special Protection Area (SPA). This is because the SPA is a habitat for rare birds and most wastewater in Stevenage is currently treated at the Rye Meads sewerage treatment works which is located inside the SPA. Therefore, water quality and volume within the SPA could be affected by the operation of the works within the SPA. The screening report also notes that, if human activities such as recreation are not appropriately managed or if any part of the SPA site is developed, this could also have likely significant effects on the integrity of the SPA.

18. However, the Partial Update Plan does not increase or alter spatially the growth already planned for in the adopted Plan. CD5 concludes that the proposed policy changes within the Partial Update Plan would not be likely to have a significant effect on the SPA. The Council updated its HRA report to assess the MMs and reached the same conclusions (MMC4). Natural England have been consulted and have not objected to the Partial Update Plan or the MMs. Overall, I find there would be no significant adverse effect on the integrity of internationally designated nature conservation sites arising from the adoption of the Partial Update Plan as modified by the MMs.

19. The development plan, taken as a whole, includes policies to address the strategic priorities for the development and use of land in the local planning authority's area.

20. The Partial Update Plan also contains a range of new policies and updates to existing policies which are intended to facilitate climate change mitigation and adaptation in the Borough. These include a new strategic policy, Policy SP1: Climate Change, supported by a new chapter of detailed Climate Change policies (Policies CC1 to CC7) addressing matters including energy efficiency, heating and cooling, water efficiency, energy infrastructure, carbon sinks, green

roofs and the green economy. The Partial Update Plan also introduces a new sustainable drainage policy (Policy FP1: Sustainable drainage), updates the existing flood risk policy through Policy FP2: Flood risk management, and updates the adopted trees policy as Policy NH5a: Trees and woodland, alongside a new policy on tree-lined streets (Policy NH5b). Together with related revisions to design and transport policies, these changes require development to address flood risk mitigation and adaptation, promote sustainable travel, and secure high-quality design, all of which are responsive to climate change. The legal requirement to include policies designed to secure that the development and use of land in the plan area contributes to the mitigation of, and adaptation to, climate change is therefore met.

21. Regulation 8 (5) of the 2012 Regulations sets out that where plans contain policies that are intended to supersede other policies in the adopted development plan, this fact should be stated, and the superseded policies must be identified. The Plan does not clearly do this and is therefore not legally compliant in this respect. **MM1** addresses this by adding details to the Partial Update Plan which make it explicit which policies of the adopted Plan are to be updated / replaced by each of the policies in the Partial Update Plan upon its adoption. The Council have also proposed to incorporate an additional modification to amend the contents pages of the adopted Plan to add further clarity as detailed in AM1 of Additional Modifications to the Local Plan Partial Update (MMC3).

22. The Plan complies with all other relevant legal requirements, including in the 2004 Act (as amended) and the 2012 Regulations.

Assessment of Soundness

Main Issues

23. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearings, I have identified six main issues upon which the soundness of the Partial Update Plan depends. This report deals with these main issues. It does not respond to every point or issue raised by representors. Nor does it refer to every policy or policy criterion in the Partial Update Plan.

Issue 1 – Whether the plan period ,approach to cooperation and the scope and are justified, effective and consistent with national policy

24. The adopted Plan covers the period between 2011 and 2031. This means that the new and updated policies in the Partial Update Plan will only have a lifespan of around 5 years on the assumption that it is adopted in 2026. Whilst the new

strategic policies would not meet the NPPF requirement for fifteen years from adoption, the Partial Update Plan has a limited scope with the majority of the adopted Plan unchanged. The level of growth in the adopted Plan is not within the scope of the examination. The apparent inconsistency with the NPPF in this regard is unavoidable within the limited scope of the examination.

25. The Council has clearly maintained effective cooperation through on-going joint working in a way that accords with the expectations of paragraphs 24 to 27 of the NPPF. Details are set out in the Council's summary of cooperation CD11 and the Council's hearing statements. These documents set out where, when, with whom and on what basis cooperation has taken place over all relevant strategic matters. CD11 demonstrates that throughout the plan-making process the Council have worked closely and cooperated on relevant strategic matters with relevant bodies.

26. However, the scope and purpose of the Partial Update Plan is not clearly explained. Thus, upon adoption it will not be clear in the adopted Plan which policies are new, have been updated or are unchanged. Consequently, it will not be entirely clear how decision makers or developers should react to different components of the adopted Plan as amended by the Partial Update Plan. MMs are therefore necessary to have the effect of amending the introductory sections of the adopted Plan to explain the five-year review trigger, why a partial update was chosen over a full update and explain how and which specific components of the adopted Plan have been updated. **MM1** achieves all this and is therefore needed for effectiveness.

Conclusion

27. Subject to the MMs discussed above the Council's approach to cooperation, the scope and the plan period are justified, effective and consistent with national policy.

Issue 2 – Whether new and updated policies on climate change, sustainable development and design are justified, effective and consistent with national policy

28. The adopted Plan includes only general aims for sustainable development and climate change mitigation. However, in 2019, the Council declared a climate change emergency, committing to be net zero by 2030 (CD29a). The Council subsequently prepared a Climate Change Strategy, supported by an Action Plan (CD29b) which includes a wide range of measures and interventions which the Council have been implementing and monitoring following the declaration (CD29). The commitment to responding to climate change is also an integral part of the Stevenage Borough Council Corporate Plan 2024-2027. Thus, since the adoption of the adopted Plan, responding to climate change has become a clear strategic priority for the Council.

29. The Council's Climate Change Technical Paper (EB3.2) explains that emissions from buildings constitute a significant proportion of Borough-wide emissions and that relying solely on existing Building Regulations would not deliver reductions at the scale or pace considered necessary to realise the net zero by 2030 ambition or the Government's commitment to achieving net zero greenhouse gas emissions by 2050.

30. The Partial Update Plan therefore introduces a new chapter on climate change into the adopted Plan. The Council's overall approach and strategic priority is detailed in a new Strategic Policy SP1: Climate Change. This sets out the Council's commitment to net zero and how new development in the Borough will be expected to contribute towards achieving it through mitigation and adaptation with detailed requirements set out in development management policies underpinning each strategic climate change related theme.

31. However, MMs are needed for effectiveness to Policy SP1 to explicitly make clear that development proposals are expected to mitigate and adapt to climate change and that applications that do not make an appropriate contribution may be refused. It is also necessary to adjust the wording of the policy for effectiveness to ensure it is consistent with the wording of new policies relating to emission reduction, water efficiency, carbon sequestration, sustainable transport and green/renewable energy which are discussed below (**MM3**).

Energy efficiency

32. Policy CC1: Energy efficiency introduces local energy efficiency standards for major development. It requires all major development to achieve net zero regulated operational emissions and also requires "large scale major development" outside Stevenage Town Centre to be whole-life carbon net zero. Compliance with these requirements is expected to be demonstrated through the submission of Energy Statements and, where relevant, whole-life carbon assessments.

33. However, the Written Ministerial Statement on local energy efficiency standards (December 2023) (the WMS) makes clear that "the Government do not expect plan-makers to set local energy efficiency standards for buildings that go beyond current or planned Building Regulations", and further states that any such policies "should be rejected at examination if they do not have a well reasoned and robustly costed rationale".

34. Current Building Regulations Part L (2021), together with the anticipated Future Homes and Buildings Standards, are intended to ensure that new development is "net-zero ready", rather than to require net zero regulated operational emissions to be achieved at the point of construction. The additional requirements in Policy CC1 for net zero regulated operational emissions and whole-life carbon net zero therefore set higher standards that go beyond current or planned Building Regulations. Furthermore, as submitted, Policy CC1 does

not explicitly define "net zero regulated operational emissions", nor does it refer to a percentage uplift against the Target Emissions Rate. As a result, it is unclear what evidence would be necessary to demonstrate or assess compliance, rendering the policy ineffective.

35. The Council relies on its whole-plan viability assessment, together with the Climate Change Technical Paper (EB3.2), to provide the "well-reasoned and robustly costed rationale" required by the WMS. However, the viability testing includes only a generic allowance or buffer intended to reflect the cumulative impact of policy requirements, including Policy CC1. While EB3.2 explains in broad terms the estimated additional costs associated with achieving net zero operational emissions and whole-life carbon, this evidence is not specific to the types of development expected to come forward in Stevenage during the remainder of the plan period. The evidence also does not include a sufficiently detailed assessment of how and why these standards are necessary to address circumstances particular to the Borough as opposed to anywhere else in the country.

36. Consequently, while the evidence indicates that development meeting the requirements of Policy CC1 could, in general terms, be delivered, the absolute requirement through the use of the word "must", for all major development to meet these standards is not justified. In addition, the submitted policy lacks the flexibility necessary to address circumstances where achieving net zero would not be technically or financially feasible. This approach risks prejudicing the delivery of development in the Borough and is not therefore effective or consistent with national policy.

37. MMs are therefore necessary to define "net zero regulated operational emissions" as "a 100% improvement on the Target Emissions Rate determined using the Standard Assessment Procedure 10.2" to align it with the WMS but clarify this not an absolute requirement and instead is encouraged. It is also necessary for effectiveness to clarify that minor and householder development are not expected to meet the requirements of Policy CC1, clarify what information is necessary to demonstrate compliance, and, most importantly, make clear that "the Council will apply Policy CC1 to decisions on planning applications flexibly" where achieving net zero would not be technically feasible, financially viable or compatible with sustainable development. This will mean that any schemes which are able to meet these requirements along with all other development plan requirements can be viewed favourably without making them mandatory. **MM9** achieves all this having the effect of making the standards measurable and clear, but crucially not mandatory and subject to it, Policy CC1 is justified, effective and consistent with national policy.

Heating and cooling

38. EB3.2 notes rising temperatures and the urban heat island effect associated with higher density and taller buildings which is particularly relevant to buildings in the new town. Policy CC2: Heating and cooling seeks to address this by

requiring development proposals to minimise reliance on energy dependent air conditioning systems through passive design measures. It requires major development proposals to demonstrate through an Energy Statement how heating and cooling demands will be managed over time.

39. However, Part O of the Building Regulations (2021), seeks to reduce the risk of indoor overheating through design-based measures but does not restrict the use of mechanical or energy-dependent cooling systems. Policy CC2 goes further than Part O because it expects reliance on such systems should be minimised and states that planning permission may be refused where proposals rely on energy dependent cooling unless it is demonstrated that their use is essential. This goes beyond Part O without a clear locally costed rationale and as such in this regard Policy CC2 is not justified.

40. MM is therefore needed to the policy wording and justification text to clarify that the policy applies to all development, whilst limiting the requirement for detailed evidence to support major development proposals only. It is also necessary to clarify that permission will only be refused for proposals relying on energy dependent cooling systems where it is not demonstrated that their use is essential. Furthermore, MM is necessary to make clear "the council will apply Policy CC2 to decisions on planning applications flexibly", including where alternatives are not technically feasible, would not be financially viable or would otherwise compromise the delivery of sustainable development. MM is also necessary to clarify the circumstances in which mechanical cooling may be justified in the justification text. **MM10** addresses these issues in the interests of justification, effectiveness and consistency with national policy.

Water efficiency

41. Stevenage lies within an area of serious water stress (EB3.2). Policy CC3: Water Efficiency therefore seeks to reduce water consumption and improve water efficiency in new development requiring new residential development to consume no more than 110 litres per person per day. It also requires the incorporation of rainwater harvesting in residential schemes and grey water recycling in non-residential development.

42. The adopted Plan already requires consumption of no more than 110 litres per person per day, is fully accounted for in the Council's viability evidence and in principle is justified. However, Part G of the Building Regulations (2015 incorporating the 2020 amendments) does not require rainwater harvesting or grey water recycling and the detailed costs associated with achieving them can vary wildly from scheme to scheme particularly for grey water recycling. Again, the Council's viability evidence has not considered the detailed cost implications of these standards relevant to the types of development expected in the Borough over the remainder of the plan period.

43. MMs are therefore necessary to clarify that the 110 litres per person per day requirement aligns explicitly with the optional standard in Building Regulations

Part G. It is also necessary to provide a more accurate definition of water neutrality and provide clearer justification text explaining the purpose and practical application of rainwater harvesting and grey water recycling. Furthermore, it is also necessary to make clear that Policy CC3 will be applied flexibly where measures are demonstrated to be technically unfeasible or unviable. **MM11** achieves all this and ensures Policy CC3 is justified, effective and consistent with national policy.

Carbon sinks

44. Policy CC5: Carbon Sinks seeks to protect significant carbon sinks and to support proposals that deliver net gains in carbon sequestration. However, there is no definition of what constitutes a carbon sink or a significant carbon sink and they are not defined on the policies map or in the local plan evidence base. It is also unclear how deterioration should be assessed. Thus, this policy is not justified or effective. **MM13** addresses this by deleting the proposed new policy and the associated justification to ensure the Partial Update Plan is justified and effective.

Energy infrastructure, green roofs and the green economy

45. The remainder of the new climate change chapter to be added to the adopted Plan through the Partial Update Plan comprises Policies CC4: Energy infrastructure, CC6: Green roofs and CC7: The green economy. I deal with these policies together because they do not seek to impose development standards, instead, they are supportive or protective of matters which the Council will use to attribute positive or negative weight in determining planning applications.

46. Policy CC4 supports development proposals that incorporate decentralised energy networks, district heat networks, intelligent energy systems and on-site renewable or low-carbon energy generation. However, **MM12** is necessary to make clear that the measures referred to are not mandatory but schemes incorporating them will be strongly supported for effectiveness.

47. Policy CC6 (as amended to CC5) supports the incorporation of green roofs, blue-green roofs, bio solar roofs and green walls, while Policy CC7 (as amended to CC6) promotes circular economy principles, green jobs and local food production. However, as submitted, both policies contain ambiguous wording, creating uncertainty as to when proposals would be supported and how compliance would be assessed. **MM14** is therefore necessary to clarify that green roofs and walls will be strongly supported where appropriate to the building and site context and where they represent an effective means of achieving environmental benefits avoiding inappropriate provision. **MM15** provides clearer definitions and justification text for the green economy policy which explains how circular economy principles, green jobs and food production will be assessed. Thus, **MM14** and **MM15** are both needed for effectiveness.

Design certification

48. Policy GD2: Design certification seeks to encourage high-quality and safe design by supporting development proposals that achieve recognised sustainability and safety certifications, including BREEAM, Secured by Design and the BRE Home Quality Mark. The Council explained at the hearing that proposals which voluntarily achieve such certification will be afforded positive weight in decision-making without making any particular design certification regime mandatory. However, **MM35** is necessary to make it explicit that certification is encouraged rather than required in the interests of effectiveness.

Conclusion

49. Subject to the MMs discussed above the new and updated policies on climate change, sustainable development and design are justified, effective and consistent with national policy.

Issue 3 – Whether new and updated housing policies are positively prepared, justified, effective and consistent with national policy

50. The Partial Update Plan does not seek to alter the housing requirement, spatial strategy or allocate any new sites for housing. Insofar as it relates to housing, it aims to update the adopted Plan to simply reflect housing delivery to date and new evidence on the type of homes needed in the Borough to meet housing needs, particularly substantively updating policies relating to affordable housing and specialist accommodation and introduces a new policy on houses in multiple occupation.

Housing requirement and spatial strategy

51. The adopted Plan, through Strategic Policy SP7: High Quality Homes requires 7,600 dwellings over the period 2011–2031, supported by a spatial strategy and a range of housing allocations.

52. However, the updated wording of Policy SP7 in the Partial Update Plan removes the housing distribution figures previously included in the adopted policy without justification or explanation. Furthermore, the residual requirements should be informed by the latest evidence on completions. **MM7**, **MM28** and **MM29** necessarily address these issues by incorporating into the Partial Update Plan the latest housing completion figures, clearly stating the residual housing requirement to 2031, and confirming that the sites identified in the adopted Plan continue to provide the planned housing supply over the remainder of the plan period. Subject to **MM7**, **MM28** and **MM29**, Policy SP7 and the approach to the housing requirements in the Partial Update Plan is justified, effective and consistent with national policy.

Affordable Housing

53. Policy HO7: Affordable Housing Targets sets out the proportion of affordable housing expected to be delivered as part of residential development within the Borough. The Partial Update Plan proposes to increase the affordable housing requirement on greenfield sites from 30% to 40%, while retaining the existing 25% requirement on previously developed land.

54. The Council's Revised Housing Technical Paper (ED3.1) explains that this change is intended to respond to updated evidence of need in the Strategic Housing Market Assessment Part II Update (EB3.7), which identifies a substantial shortfall in affordable housing provision, equivalent to a requirement for approximately 2,114 affordable dwellings over the remainder of the plan period. The increase to 40% was tested in the Council's viability assessment which clearly shows that even with other policy requirements and community infrastructure levy, the increase would not prejudice the delivery of development on greenfield sites in the Borough.

55. However, **MM7** is necessary to amend Policy HO7 and the justification text to more clearly articulate the need for the increase with reference to the evidence. Furthermore, it is also necessary to amend the policy wording to add flexibility accounting for circumstances where it is demonstrated to be technically or viably unfeasible to meet the requirement.

56. In addition, a number of allocated sites already have the benefit of planning permission but have not been built out, specifically allocations known as, Policy HO2: Stevenage West and Policy HO3: North of Stevenage. **MM30** (Policy HO2: Stevenage West) and **MM31** (Policy HO3: North of Stevenage) are necessary to explain that these allocations retain the 30% affordable housing requirement because applying the uplift would risk compromising their deliverability or other development requirements.

57. A MM is also necessary to clarify the interaction between affordable housing requirements and the delivery of sheltered and supported housing under Policy HO10 and recognise the need for flexibility as demonstrated by the Council's viability assessment which shows it to be less viable than other forms of housing as explained in more detail below. **MM32** is therefore necessary to introduce flexibility to ensure that the application of Policy HO7 does not constrain the delivery of specialist accommodation required to meet identified needs. Subject to **MM7**, **MM30**, **MM31** and **MM32** Policy HO7 as updated by the Partial Update Plan would be justified, effective and consistent with national policy.

Sheltered and Supported Housing

58. Policy HO10: Sheltered and Supported Housing of the adopted Plan seeks to support the provision of accommodation for older people and those requiring supported living.

59. The Revised Housing Technical Paper (ED3.1) and the Strategic Housing Market Assessment Part II Update (EB3.7) identify a significant projected increase in the older people in Stevenage and a corresponding need for a range of specialist housing types, including sheltered housing, extra-care housing and residential care. In response the Partial Update Plan, would replace detailed criteria which repeat other design related provisions in the adopted Plan with criteria which positively support proposals for sheltered and supported housing provided they comply with other relevant development plan policies. This means that there are no separate duplicative tests which effectively add a layer of unnecessary restriction which may prevent this type of housing from coming forward.

60. However, as discussed above, the Council's viability evidence identifies specific viability and delivery characteristics of sheltered and affordable housing schemes which differ from general market housing which could negatively affect scheme viability. **MM32** is therefore necessary to clarify the purpose and operation of the policy by confirming that proposals for sheltered and supported housing are expected to comply with relevant development plan policies, while also making clear that flexibility in meeting other development plan requirements may be necessary where it can be demonstrated that the viability of this form of development would prejudice development of this type from taking place in the Borough. Thus, subject to **MM32**, Policy HO10 as amended by the Partial Update Plan would be justified, effective and consistent with national policy.

Accessible and adaptable housing

61. Policy HO11: Accessible and Adaptable Housing of the adopted Plan seeks a proportion of new homes designed to meet the needs of people with mobility impairments or can be easily adapted to do so. As submitted, the Partial Update Plan would amend the policy to require 10% of dwellings within major residential developments to comply with Building Regulations optional requirement M4(3)(2)(b) for wheelchair-accessible dwellings, with a further 40% required to comply with optional standard M4(2) for accessible and adaptable dwellings.

62. The Council's evidence (EB3.1 and EB3.7) identifies a growing need for wheelchair user housing and accessible homes over the remainder of the plan period in part due to a lack of provision over the plan period to date. However, the Housing: optional technical standards Planning Practice Guidance (PPG) distinguishes between wheelchair-accessible dwellings (M4(3)(2)(b)) and wheelchair-adaptable dwellings (M4(3)(2)(a)) with wheelchair user dwellings being much more expensive to deliver.

63. Whilst the Council's Note on Accessible and Adaptable Housing (CD30) provides detailed evidence of need for wheelchair user housing generally, it does not demonstrate that the Council would operate an appropriate

allocation-based system consistent with the PPG[2] or the needs of any specific individual which might require this type of housing in the Borough. Overall, the requirement for M4(3)(2)(b) is not justified.

64. **MM33** is therefore necessary to remove the requirement for M4(3)(2)(b) dwellings and ensure that Policy HO11 instead applies the M4(3) wheelchair-user standard flexibly, in accordance with national guidance and local circumstances. **MM33** also necessarily confirms that the policy will be applied flexibly where compliance has been demonstrated to be technically or viably unfeasible. **MM33** is therefore needed to ensure Policy HO11 as updated by the Partial Update Plan is justified, effective and consistent with national policy.

Homes in multiple occupation

65. Policy HO14: Houses in Multiple Occupation is a new policy which establishes criteria for applications involving the creation of new HMOs. It seeks to ensure noise and disturbance, parking, cycle storage are appropriately managed to mitigate adverse impacts whilst recognising the value of HMOs in meeting housing needs in Stevenage.

66. However, references to the need to avoid an "unacceptable impact on housing supply" without an explanation of how such impact should be assessed or what would constitute harm is ambiguous. Because of this the policy is also not positively prepared because it assumes harmful impacts when in fact such proposals can contribute positively to meeting housing needs without always giving rise to harm.

67. **MM34** is therefore necessary to amend Policy HO14 to avoid conflicts with the aims of other relevant policies by making clear that impacts, such as noise, parking and residential amenity, will be assessed through reference to other relevant development plan policies. **MM34** is therefore needed to ensure Policy HO14 is positively prepared, justified and effective. **MM34** has been adjusted post consultation to clarify that regard should be had to non-development plan guidance rather than accord with it. This is a factual clarification because Supplementary Planning Document and other guidance are not part of the development plan. There is no prejudice to anyone arising from this change.

Conclusion

68. Subject to the MMs discussed above the new and updated housing policies are positively prepared, justified, effective and consistent with national policy.

[2] Paragraph: 009 Reference ID: 56-009-20150327 Revision date: 27 03 2015

Issue 4 – Whether updated Employment, Town Centres and Opportunity Areas policies are positively prepared, justified, effective and consistent with national policy

69. The adopted Plan establishes a strategy to support economic growth, protect employment land, maintain the vitality and viability of town centres, and deliver regeneration through a series of defined Opportunity Areas. The Partial Update Plan does not seek to alter the overall economic or town centre strategy or make any new relevant allocations. Instead, it focuses on updating specific policies and supporting text to reflect national policy and legislative changes and incorporating progress made with regeneration proposals into the adopted Plan.

Employment

70. Strategic Policy SP3: A strong and competitive economy would be updated through the Partial Update Plan to reflect changes to the Use Classes Order. This includes aligning the use classes specified in the policy wording and adding wording seeking to define what constitutes an employment use. Policies EC1 to EC7 of the adopted Plan would be amended by the Partial Update Plan in the same way.

71. However, whilst the approach is sound in principle, all references to employment uses and employment land are not entirely consistent which creates ambiguity and uncertainty for decision makers and developers. **MM4** is therefore necessary to insert an explicit definition of "employment uses" within the justification text confirming employment uses as B2, B8 and E(g)(i-ii) use classes. **MM4** is therefore needed for effectiveness.

72. Policy EC1: Allocated Sites for Employment sets out indicative targets for employment floorspace to be delivered on allocated sites. Through the Partial Update Plan, Policy EC1 would be amended to reflect updated evidence on employment need, as set out in the Council's Employment Technical Paper (EB3.3), and to address long standing delivery issues on specific sites, most notably site EC1/2 (South of Bessemer Drive, Gunnels Wood). EB3.3 demonstrates a surplus of office floorspace, a broadly balanced position in relation to research and development uses, and a deficit in industrial and warehousing floorspace. The Partial Update Plan therefore amends Policy EC1 to remove the office element from allocation EC1/2 and allow E(g)(iii), B2 and B8 uses to reflect known demand. This is justified by the evidence and sound.

Town Centres and Retail

73. Policy SP4 of the adopted Plan sets the strategic framework for town centres and retail development.

74. However, the Retail Study Update 2024 (EB3.5 and EB3.6) identifies that since 2014 there has been a significant net loss of comparison goods floorspace within the Town Centre, modest residual capacity for additional convenience

goods floorspace, and increased competition from retail provision outside of town centres.

75. The Partial Update Plan retains the retail strategy established in the adopted Plan, but seeks to bring the town centre related policies into line with national policy for development management purposes.

76. However, as submitted the Partial Update Plan does not fully reflect the conclusions of EB3.5 and EB3.6 or national policy. MMs are therefore necessary to Policy SP4 and the justification text to clarify that the retail floorspace figures are indicative and not requirements, to reinforce the town centre first and impact assessment approach and tighten the policy wording with regard to additional comparison retail development outside of town centres. It is also necessary to make clear in the justification text that matters relating to retail capacity, new allocations and potential boundary changes will be addressed through a future new local plan. **MM5** is therefore necessary to ensure Policy SP4 as amended by the Partial Update Plan is justified, effective and consistent with national policy.

77. Policy TC8: Town Centre Shopping Area through its geographical application on the policies map defines the town centre shopping areas where a range of main town centre uses are supported. EB3.5 and EB3.6 identify changes in retailing patterns, including a decline in traditional comparison retail floorspace and the growing importance of mixed-use town centres that support leisure, cultural and service uses alongside retail. The Partial Update Plan seeks to amend Policy TC8 to reflect this evidence. However, **MM22** is necessary to Policy TC8 to ensure consistency with national policy and allow a broader range of appropriate town centre uses in line with the definition of main town centre uses given in the NPPF. Furthermore, for effectiveness **MM22** also clarifies the approach with regard to heritage assets in town centres.

78. Policy TC9: High Street Shopping Area provides more detail for the High Street within the wider town centre, while Policy TC10 High Street and Secondary Frontages seeks to manage development in primary and secondary shopping frontages. However, EB3.5 and EB3.6 highlight that rigid frontage controls can act as a barrier to adaptation and regeneration. The Partial Update Plan therefore seeks to amend Policies TC8 and TC9, and to delete TC10, to reflect this evidence and to ensure that the town centre and High Street are able to adapt to changing patterns of demand in a manner consistent with national policy.

79. The deletion of TC10 is sound because it will improve the adaptability of Stevenage's town centres assisting their vitality and viability. The geographical application of this policy would also be removed from the Council's policies map upon adoption as detailed on the submission policies map (CD4).

80. However, **MM22** is necessary to Policy TC8 and the justification text to ensure consistency with national policy by allowing a broader range of appropriate town

centre uses in line with the definition of main town centre uses in the NPPF, while also clarifying the approach to the consideration of heritage assets within town centres for effectiveness. **MM23** is also required to Policy TC9 to update the policy to reflect the current Use Classes Order and to remove unnecessary rigidity that would otherwise constrain the ability of the High Street to diversify and respond to change. Subject to **MM22** and **MM23** Policies TC8 and TC9 as amended by the Partial Update Plan would be justified, effective and consistent with national policy.

81. Policies TC11: Graveley Road Major Retail Development, TC12: Out-of-Centre Retail Development and TC13: Town Centre Uses Impact Assessments provide a framework for managing retail development outside defined centres and for protecting town centre vitality and viability. EB3.5 and EB3.6 identify that while there may be residual capacity for additional retail floorspace outside of centres, this would put at risk the regeneration of Stevenage Town Centre and need to be considered as part of a comprehensive review of the spatial strategy for the Borough. The Partial Update Plan updates these policies to reflect the changes to the Use Classes Order and note the findings of EB3.5 and EB3.6 and explain the future role of the Graveley Road site will be reconsidered through a future new Local Plan. This approach is sound in principle.

82. However, Policies TC11, TC12 and TC13 as amended by the Partial Update Plan do not clearly explain the risks associated with further out of centre retail floorspace at Graveley Road and the associated need to undertake the sequential and impact tests. It is also unclear how the amended policies should be applied to proposals seeking to vary conditions on existing permissions. **MM24** and **MM25** are therefore necessary for effectiveness to amend Policies TC11 and TC12 and their justification text to clarify that there is no identified need for additional out of centre retail floorspace at this time and need for such will be assessed through the development of a new local plan. **MM19** is also necessary to Policy TC13 to align the thresholds for impact assessments in the NPPF, and confirm that the policy applies both to new development and to proposals seeking to vary existing permissions. Thus, subject to **MM24**, **MM25** and **MM19** Policies TC11, TC12, and TC13 as updated by the Partial Update Plan are justified, effective and consistent with national policy.

Station Gateway Major Opportunity Area

83. Policy TC4: Station Gateway Major Opportunity Area is an existing policy in the adopted Plan which identifies the area around Stevenage Railway Station as a key regeneration opportunity capable of delivering a regenerated and extended station, high-density residential development, offices, a hotel, supporting town centre uses, and significant improvements to public realm, connectivity and sustainable transport.

84. To date the Council have been working on an Area Action Plan (AAP) for the opportunity area. The Station Gateway AAP Preferred Options (EB2.15) identifies severe functional and environmental shortcomings in the area but also

exceptional potential for comprehensive, mixed-use regeneration. However, the Council no longer wish to proceed with a separate AAP and instead the Partial Update Plan seeks to incorporate the work to date into the development plan and set out requirements for a masterplan for the area to be developed. The land within the opportunity area has complex land ownerships, infrastructure dependencies not least requiring redevelopment of the railway station. This means an AAP would be at risk either becoming quickly out of date or could even constrain delivery if circumstances changed relating to what is a very complex regeneration proposal. As such this approach in principle is soundly based.

85. However, Policy TC4 as amended by the Partial Update Plan does not provide sufficient clarity or certainty as to how the ambitions identified in EB2.15 would be translated into an effective decision making framework in the absence of an adopted AAP. In particular, the policy does not clearly define the requirements of the proposed strategic masterplan, does not include criteria to secure comprehensive and phased delivery across the whole Opportunity Area guarding against piecemeal development that could prejudice the future delivery of a new or enhanced station. It also doesn't specify the need for improved east–west connectivity, or a high-quality public realm. This creates uncertainty for both applicants and decision makers rendering the policy ineffective. **MM18** is therefore necessary to adjust the policy wording and justification text for Policy TC4 in the interests of effectiveness.

Other Opportunity Areas

86. Policies TC2: Southgate Park Major Opportunity Area, TC3: Centre West Major Opportunity Area, TC5: Central Core Major Opportunity Area, TC6: Northgate Major Opportunity Area and TC7: Marshgate Major Opportunity Area are all existing policies in the adopted Plan, forming a coordinated framework for the regeneration of Stevenage. The Partial Update Plan amends these policies to reflect changes to the Use Classes Order, updated national policy terminology, and the Council's continued emphasis on flexibility and mixed-use regeneration.

87. However, **MM16**, **MM17**, **MM19**, **MM20** and **MM21** are necessary to clarify the range of appropriate town centre uses, and reinforce the expectation for comprehensive, high-quality mixed-use redevelopment within each Opportunity Area. Subject to these MMs Policies TC2, TC3, TC5, TC6 and TC7 as amended by the Partial Update Plan are soundly based.

Conclusion

88. Subject to the MMs outlined above the updated Employment, Town Centres and Opportunity Areas policies are positively prepared, justified, effective and consistent with national policy.

Issue 5 – Whether new and updated Transport, Flood Risk, Drainage and Trees policies are positively prepared, justified, effective and consistent with national policy

89. I now deal with the remaining policies which are within the scope of my examination which comprise new and updated policies relating to transport, flood risk, drainage and trees.

Transport

90. Policy SP6: Sustainable Transport, Policy IT1: Strategic Development Access Points and Policy IT4: Transport Assessments and Travel Plans together provide the strategic and development management framework for addressing transport impacts arising from development and direct development to the most accessible locations. Through the Partial Update Plan, these policies are updated to reflect changes in national policy and the Council's increased emphasis on active travel and public transport use.

91. However, Policy SP6 as amended by the Partial Update Plan does not distinguish between strategic principles and detailed development requirements making it unclear how decision makers or developers should respond. Policy IT1 as amended identifies preferred access points for strategic sites without explanation how alternative solutions would be considered. Policy IT4, as amended includes thresholds for assessment which do not reflect the most up to date highway authority guidance which creates uncertainty for applicants and decision makers.

92. **MM6** revises Policy SP6 to provide clearer, more structured criteria for assessing sustainable transport impacts. **MM26** amends Policy IT1 to clarify the role of preferred strategic access points and confirm that alternatives may be acceptable where they are demonstrably preferable in transport terms. **MM27** updates Policy IT4 to align transport assessment and travel plan requirements with current local highway authority guidance. These MMs are therefore all needed for effectiveness.

Flood risk and drainage

93. The Council prepared a Strategic Flood Risk Assessment and related flood risk and drainage evidence to support the adopted Plan. Whilst this evidence is now of some age, any review or updating of it is more appropriately a matter for the preparation of a future new local plan where new allocations would be made and the spatial strategy reviewed.

94. The Partial Update Plan introduces Policy FP1: Sustainable Drainage as a new policy, and updates Policy FP2: Flood Risk Management, seeking to strengthen the adopted Plan's approach to surface water management, flood risk and climate change adaptation, and to bring the policy framework into line with national policy and guidance.

95. However, Policy FP1 states that new development "must" incorporate sustainable drainage systems and sets out what SuDS proposals "must" include whereas, paragraph 173(c) of the NPPF states that "development should only be allowed in areas at risk of flooding where it incorporates SuDS, unless there is clear evidence that this would be inappropriate." Policy FP1 as drafted is therefore more prescriptive than national policy. This level of prescription creates a risk that the most technically appropriate and evidenced drainage and / or SuDS solutions may not be achieved in all cases. As such, Policy FP1 of the Partial Update Plan is not consistent with national policy and is not effective.

96. Policy FP2, as amended by the Partial Update Plan, retains detailed requirements in relation to matters such as buffers to watercourses, the treatment of culverted watercourses, and the application of flood risk considerations to site layout. However, it does not reflect the national requirements for a sequential, risk-based approach to flood risk, nor does it clearly link these matters to the need for site-specific flood risk assessment or the application of the sequential and exception tests, as set out in paragraph 173 of the NPPF and reinforced by the Flood Risk and Coastal Change PPG. Furthermore, criteria f and g specify that development should include an undeveloped buffer zone of 8m from the top of the bank of any adjacent main rivers or 3m from the top of the bank of adjacent ordinary watercourses. These metrics are not specified in national policy and again such prescription limits the ability of a scheme to respond most effectively to site and development specific circumstances appropriately.

97. **MM36** is therefore necessary to amend Policy FP1 to clarify that decisions will be taken in accordance with national flood risk policy and guidance, and clarify that sustainable drainage systems should be provided unless demonstrably impracticable. Furthermore, **MM37** is necessary to amend Policy FP2 to remove unnecessary prescription and to align the policy with the NPPF sequential, risk-based approach, clarifying the role of flood risk buffers, climate change considerations, re-naturalisation of watercourses and site layout without duplicating detailed technical controls that are more appropriately applied through site-specific assessment. Taken together, **MM36** and **MM37** are necessary to ensure that Policies FP1 and FP2 are effective and consistent with national policy.

Trees and woodland

98. The adopted Plan trees and woodland related policies focus on protecting existing trees and woodland, with limited detail on replacement, long-term management or delivery through new development. However, the Tree and Woodland Strategy for Stevenage 2025–2035 (CD31) identifies the exceptional extent and importance of Stevenage's treescape, including an unusually high proportion of ancient woodland within an urban area, significant variation in canopy cover between wards, and clear threats arising from development pressure, climate change, pests and disease. It also sets out quantified data on

canopy cover, carbon storage, flood mitigation and biodiversity value, together with clear long-term objectives and delivery actions.

99. The Partial Update Plan updates Policy NH5a: Trees and Woodland and introduces a new policy, NH5b: Tree-lined Streets which both seek to address issues and opportunities identified in CD31. However, Policies NH5a as amended by the Partial Update Plan and new policy NH5b do not clearly distinguish between different categories of trees and woodland, do not sufficiently explain how replacement ratios and management expectations should be applied in practice, and do not adequately set out where flexibility may be appropriate. **MM38** addresses this by refining the policy wording and justification text for both policies and adding in flexibility where compliance is demonstrably unfeasible. Subject to **MM38** Policies NH5a and NH5b (as amended to Policy NH5) are soundly based. The requirement for replacement trees or planting of equal or better quality than the trees which are lost is sufficiently precise to reflect the need for an assessment proportionate to the development proposed particularly as consultation at the applications stage will take place with tree and woodland experts as necessary.

Conclusion

100. Subject to the MMs outlined above the Council's new and updated Transport, Flood Risk, Drainage and Trees policies are positively prepared, justified, effective and consistent with national policy.

Issue 6 – Whether the approach to monitoring and the glossary are effective

101. The adopted Plan includes a Monitoring Framework intended to assess the effectiveness of policies and the delivery of the spatial strategy over the plan period. Through the Partial Update Plan, the Council introduces a number of new policies and significantly updates existing policies. However, the Monitoring Framework as updated by the Partial Update Plan does not identify monitoring indicators for a number of new and updated policies. **MM39** is therefore necessary to ensure that appropriate indicators are identified to monitor the implementation and effectiveness of new and amended policies, including those relating to transport, flood risk and drainage, trees and woodland, and regeneration. Subject to **MM39** the monitoring framework as amended by the Partial Update Plan is effective.

102. The adopted Plan as updated by the Partial Update Plan includes a glossary. However, in light of the MMs discussed above and to deal with omissions **MM40** is necessary to make consequential amendments to the glossary to ensure that key terms used throughout the adopted Plan as updated by the Partial Update Plan and as modified are clearly and consistently defined. Subject to **MM40** the glossary at Appendix D is effective.

Conclusion

103. Subject to the MMs outlined above the Council's approach to monitoring and the glossary are effective.

Overall Conclusion and Recommendation

104. The Partial Update Plan has a number of deficiencies in respect of soundness for the reasons set out above, which means that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explained above.

105. The Council have requested that I recommend MMs to make the Partial Update Plan sound and / or legally compliant and capable of adoption. I conclude that with the recommended MMs set out in the Appendix, the Partial Update Plan satisfies the requirements referred to in Section 20(5)(a) of the 2004 Act and is sound.

L Fleming

Inspector

This report is accompanied by an Appendix containing the Main Modifications.