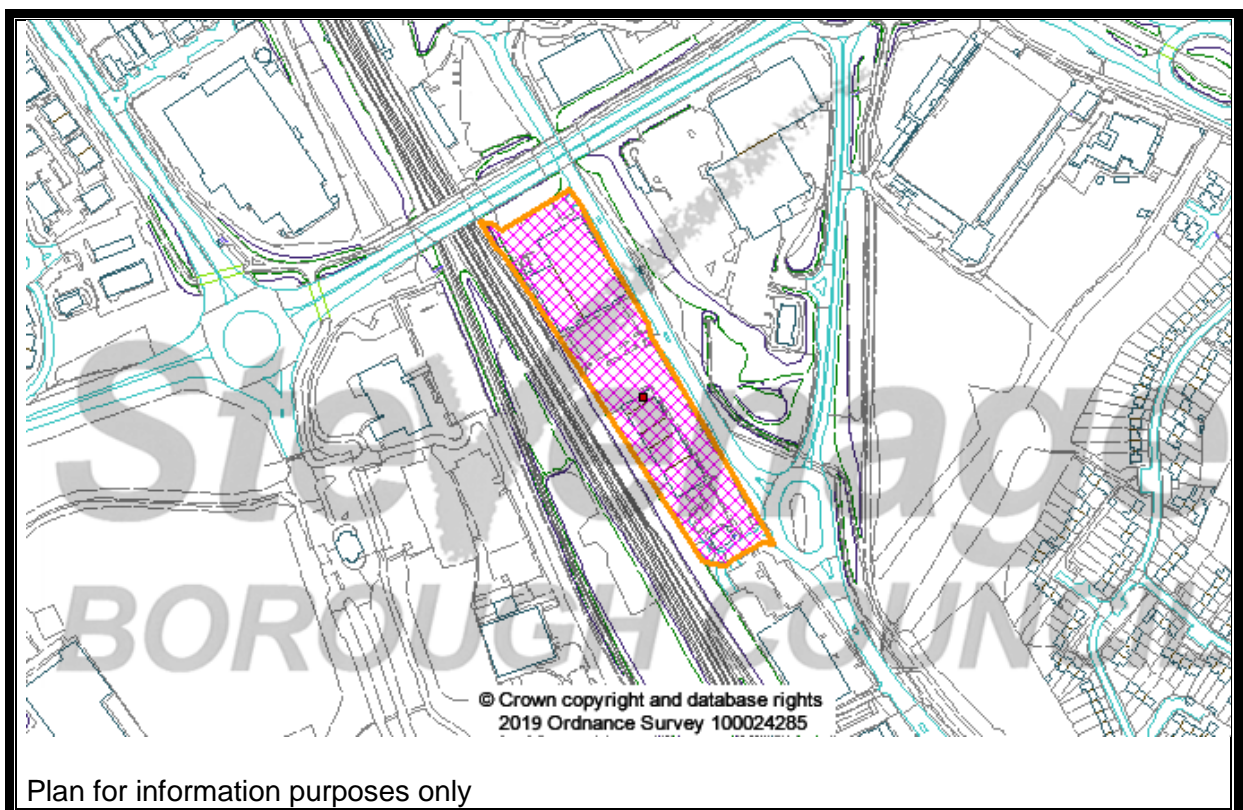


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| Meeting: | Planning and Development Committee | Agenda Item: |
| Date: | 9 December 2021 | |
| Author: | Ailsa Davis | 01438 242747 |
| Lead Officer: | Zayd Al-Jawad | 01438 242257 |
| Contact Officer: | Ailsa Davis | 01438 242747 |

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| Application No: | 21/00754/FPM |
| Location: | Roebuck Retail Park, London Road, Stevenage |
| Proposal: | Conversion of existing units at Roebuck Park to provide a self-storage facility (within Use Class B8) at Unit 3 and employment units for a flexible range of employment uses (within Use Classes E(g)(iii), B2 and/or B8) at Units B1, C2 and C3, together with the provision of three new build employment units either side of the existing terrace (Units A1, D1 and D2) for a flexible range of employment uses (within Use Classes E(g)(iii), B2 and/or B8), and associated works |
| Drawing Nos.: | PL1001 – 04; PL1102 – 05; PL1104 – 02; PL1110 - 03; PL1111 – 04; PL1125 – 04; PL1205 – 03; PL1206 – 03; PL 1210 – 07; PL 1211 – 06; PL1225 – 05; PL1226 – 04; PL1103 – 04; PL1201 – 05; 20141-C4P-V1-00-DR-A-2000_P6; 20141-C4P-V1-ZZ-DR-A-2101_P3; 21086-1 |
| Applicant: | Legal & General Property Partners (Industrial Fund) Ltd |
| Date Valid: | 07 July 2021 |
| Recommendation: | GRANT PLANNING PERMISSION |



1. SITE DESCRIPTION

- 1.1 The application site comprises an existing retail park (Roebuck Retail Park) located to the west of London Road approximately 1.6km to the south of Stevenage Town Centre. It is bounded to the east by London Road and the north by the A602, beyond which is Roaring Meg Retail Park. The site is bounded to the west by the East Coast mainline railway, beyond which is the Stevenage Bioscience Catalyst Campus. The site is adjoined to the south by a retail warehouse unit occupied by Dunelm, beyond which lies a Tesco Petrol Station and Tesco Superstore both of which are sited to the south of London Road.
- 1.2 The retail park is served by three vehicular accesses, one of which is used for servicing of Unit 3 only. The site comprises seven retail warehouses which are arranged into two terraces: Units B1 (549 sq.m), B2 (525 sq.m), C1 (299 sq.m), C2 (299 sq.m), C3 (307 sq.m), 3a (964 sq.m), 3 (2,334 sq.m) and the IN 'n' OUT Unit (162 sq.m). To the south of these is a freestanding drive-through MOT Centre (Unit A). In addition to the above, the site includes extensive areas of car parking associated with the retail warehouses. Unit 3 is presently vacant, having been previously occupied by Curry's PC World. Additionally, Units B1, C2, and C3 are presently unoccupied, equating to approximately 3,489 sqm of vacant floor space. Units 3a, C1 and B2 are occupied by Halfords, American Golf and Leaner Life, respectively.
- 1.3 The site is not designated within the Local Plan and falls within Flood Zone 1, which has a low probability of flooding

2. PLANNING HISTORY SUMMARY

- 2.1 The planning history confirms that the lawful use of Units B1, B2, C1, C2, C3, 3 and 3a is retail. Retail uses were formerly recognised as falling within Class A1, however, in line with the recent Use Class Order changes that came into effect on 1 September 2020, these uses have been reclassified as falling within new Class E 'Commercial, Business and Service' use. For Units B2 and C3, changes of use have been approved to secure a gym (Class D2) and a MOT Centre (Class B2), respectively. Former Use Class D2 has also been re-categorised as falling within new Class E. Units B1, C1, C2, 3 and 3a are all subject to conditions which restrict the use of the premises to retail warehousing purposes only. Unit B2 includes a condition restricting its use to that of a gymnasium only. In view of this, none of these units will benefit from the additional flexibility brought about by Class E.

3. THE CURRENT APPLICATION

- 3.1 This application is seeking planning permission for the conversion of existing units to provide a self-storage facility (within Use Class B8) at Unit 3 and employment trade counter units for a flexible range of employment uses (within (Use Classes E(g)(iii), B2 and / or B8) at Units B1, C2 and C3, together with the provision of three new build employment units either side of the existing terrace (Units A1, D1 and D2) for a flexible range of employment uses (within Use Classes E(g)(iii), B2 and / or B8) and associated works. Uses within classes E, B2 and B8 are typically business, service or commercial (E), industrial (B2) and storage and distribution (B8). For an existing site plan showing the units numbered, please refer to **Appendix 1** at the end of the report.
- 3.2 In terms of Unit 3 (formerly occupied by Currys PC World), this is proposed to be converted into a new self-storage facility (within Use Class B8) to be occupied by SureStore. In order to meet SureStore's operational requirements, two mezzanine floorplates are proposed to be installed at Unit 3 (each measuring approximately 2,245sqm). This would bring Unit 3's total floor space to 6,765sqm, resulting in an uplift of 4,490sqm of floor space across the site.

- 3.3 The proposal also includes the change of use of Units B1, C2 and C3 from retail to a flexible range of employment uses (within Use Classes E(g)(iii), B2 and/or B8). Three new build employment units are proposed either side of the existing terrace (Units A1, D1 and D2). The units, which extend to 332 sq.m, 329 sqm and 216 sq.m, respectively, are to be used for a flexible range of employment uses (within Use Classes E (g)(iii), B2 and/or and B8). The additional units (which comprise a total of 878 sq.m of new build floor space) are proposed to be delivered in the existing car park and will be arranged predominantly over ground level.
- 3.4 The existing retail park has extensive external parking spaces associated with the retail warehouses. In total there are 227 car parking spaces. The proposal would result in the loss of 55 car parking spaces to make way for the new build floor space at Units D1, D2 and A1.
- 3.5 The self-storage facility (Unit 3) will utilise the existing access, service and delivery areas to the front and rear of the site adjacent to London Road. The proposed units (Units D1, D2 and A1) will be accessed via the existing service road which connects Roebuck Retail Park to London Road. Halfords, American Golf and Leaner Life will continue to operate from Units 3a, C1 and B2, respectively.
- 3.6 The application comes before Committee for consideration as it is a major commercial application.

4. PUBLIC REPRESENTATIONS

- 4.1 The proposal has been publicised by way of letters to adjoining properties and two site notices. In addition, the application has also been advertised in the Local Press. One letter of support has been received from In N Out Autocentres, Unit B, Caswell Road, Brackmills.

5. CONSULTATIONS

5.1 Hertfordshire County Council as Highway Authority

- 5.1.1 Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to a condition requiring the submission of a construction traffic management plan.

5.2 Thames Water

- 5.2.1 No objection, subject to a condition requiring a Piling Method Statement to be submitted and approved due to the proposed works being in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure. Thames Water has also asked for the applicant to apply for a Groundwater Risk Management Permit for discharging groundwater into a public sewer.

5.3 Hertfordshire County Council as Lead Local Flood Authority (dated 12 Nov 2021)

- 5.3.1 We understand through correspondence with the LPA that the red line boundary has been adjusted. We also acknowledge that an updated FRA is currently being prepared by Weetwood, therefore we would withhold full comments until we have been able to review the updated strategy. We have reviewed the response letter prepared by the JLL dated October 2021, and the email dated 29 September 2021 included in the letter and updated our comments.

- 5.3.2 We have previously reviewed the Surface Water Drainage Assessment Revision 1.0 and Flood Risk Assessment Revision 1.1 dated June 2021 prepared by Weetwood submitted in support of this consultation. We understand it is proposed to discharge to the existing surface water sewer serving the site via two connections, with the site split into two catchments. Units D1 and D2 are proposed to discharge freely to the existing surface water sewer in the east of the site. Unit A1 will drain to a new surface water manhole online with the existing 150mm private sewer located in the carpark, at a controlled rate of 11.2 l/s. This private network discharges to Stevenage Brook southeast of the site via an existing culvert under London Road. This provides 70% betterment over the brownfield rates. Infiltration testing is recommended to verify the potential to discharge via infiltration.
- 5.3.3 However, the information provided to date does not provide a suitable basis for an assessment to be made of the flood risks arising from the proposed development. We therefore object to the grant of planning permission and recommend refusal on this basis for the following reasons.
- 5.3.4 Details of how surface water arising from a development is to be managed is required under the NPPF for all Major Planning Applications as amended within the NPPG from the 6 April 2015. Therefore, for the LLFA to be able to advise the Local Planning Authority that there is no flood risk from surface water an application for full planning permission should include the following:
- 5.3.5 We understand the applicant is preparing additional information relating to a ground investigation, condition survey of existing private network, the addition of permeable paving and the potential upgrading of the network to reduce flooding during the 1 in 100 year + 40% climate change storm. Therefore, as above, we would withhold detailed comments on these aspects at this time and will review the updated strategy when re-consulted.
1. Restriction of discharge to greenfield runoff rates and volumes.
 2. Clarification of post-development calculations.

Overcoming our objection

1. We understand it is proposed to drain Unit A1 and the surrounding area to the existing surface water sewer at 11.2 l/s. We are pleased the applicant proposes an attenuation tank with the possibility to use permeable paving to provide surface water attenuation; however the applicant should seek to discharge at greenfield runoff rates and volumes, including Units D1 and D2. We would be very concerned where unrestricted discharges are proposed. Our policy for all sites, including brownfield locations, is for runoff to be restricted to greenfield rates. This should be either the QBAR rate or restriction to the respective greenfield rates for each storm event via complex control. Therefore, additional attenuation capacity may be required in order to reduce the discharge to greenfield runoff rates.
2. We are pleased the applicant has provided detailed post-development network calculations for all events up to and including the 1 in 100 year + 40% climate change event. However, we would request the following clarifications. We understand the design is not an infiltration-based system. We require provision of half drain down times no greater than 24 hours up to and including the 1 in 100 year + 40% climate change event for all attenuation features whether they are discharging via infiltration or not, such as for attenuation ponds and tanks, etc. Furthermore, we note that a flooded volume of 8.599 m³ is indicated to occur during the 1 in 100 year + 40% climate change storm at pipe number 1.000. We understand the diameter of this pipe could be upgraded to reduce the potential for flooding. Please note that we would not object to this flooded volume in principle, but would require the applicant to provide the location, depth, volume and area of this flooding on a drainage plan.

5.4 Hertfordshire Fire and Rescue Service (Water Officer)

- 5.4.1 No objection, subject to a condition requesting the provision of fire hydrants. Due to the nature of the application, the hydrants may be private hydrants owned by the management company who take on the area.

5.5 SBC Environmental Health

- 5.5.1 Do not wish to comment.

5.6 Network Rail

- 5.6.1 No objection to the principle of the development, subject to a condition requiring the submission of a construction methodology which demonstrates consultation with the Asset Protection Project Manager at Network Rail.

5.7 SBC Planning Policy

- 5.7.1 Do not have any comments other than the area is identified for potential expanded employment use and the Use Class prevents it from being converted to residential.

5.8 Crime Prevention (Secured by Design)

- 5.8.1 No comment.

5.9 SBC Arboriculture and Conservation Manager

- 5.9.1 No comment. Any comments received before the meeting will be updated verbally.

5.10 Environment Agency

- 5.10.1 We have reviewed the information submitted and have no objections to the proposals.

6. RELEVANT PLANNING POLICIES

6.1 Background to the development plan

- 6.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that the decision on the planning application should be in accordance with the development plan unless material considerations indicate otherwise. For Stevenage the statutory development plan comprises:

- The Stevenage Borough Council Local Plan 2011-2031
- Hertfordshire Waste Development Framework 2012 and Hertfordshire Waste Site Allocations Development Plan Document (adopted 2012 and 2014); and
- Hertfordshire Minerals Local Plan 2002 – 2016 (adopted 2007).

6.2 Central Government Advice

- 6.2.1 A revised National Planning Policy Framework (NPPF) was published in July 2021. This largely reordered the policy substance of the earlier 2012 version of the NPPF albeit with some revisions to policy. The Council are content that the policies in the Local Plan are in conformity with the revised NPPF and that the Local Plan should be considered up to date

for the purpose of determining planning applications. The NPPF provides that proposals which accord with an up to date development plan should be approved without delay (para.11) and that where a planning application conflicts with an up to date development plan, permission should not usually be granted (para.12). This indicates the weight which should be given to an up to date development plan, reflecting the requirements of section 38(6) of the 2004 Act. The NPPF and the PPG, with which Members are fully familiar, are both material considerations to be taken into account in determining this application.

6.3 Adopted Local Plan

Policy SP1: Presumption in favour of sustainable development;

Policy SP2: Sustainable development in Stevenage;

Policy SP3:

Policy SP6:

Policy SP8: Good Design;

Policy SP11: Climate change, flooding and pollution

Policy IT4: Transport Assessment and Travel Plans

Policy IT5: Parking and access;

Policy EC7: Employment development on unallocated sites;

Policy GD1: High quality design;

Policy FP1: Climate change;

Policy FP2: Flood risk in Flood Zone 1;

Policy FP5: Contaminated land;

Policy FP7: Pollution;

Policy NH5: Trees and Woodland.

6.4 Supplementary Planning Documents

Parking Provision and Sustainable Transport SPD (2020);

Stevenage Design Guide SPD (2009)

Developer Contributions SPD (2021)

The Impact of Development on Biodiversity SPD (2021)

6.5 Community Infrastructure Levy Charging Schedule

6.5.1 Stevenage Borough Council adopted a Community Infrastructure Levy Charging Schedule in 2020. This allows the Council to collect a levy to fund infrastructure projects based on the type, location and floor space of a development. The proposal includes the change of use of Units B1, C2 and C3 from retail to a flexible range of employment uses (within Use Classes E(g)(iii), B2 and/or B8). As planning use class E – commercial, business and service use is the same use class as retail, this proposal would be CIL liable at £60/m². However, it is recognised that the units would not be in a retail use and therefore would be liable for CIL at £0m² as ‘other development’ under the CIL charging schedule.

6.5.2 In order to exempt the applicant from paying the higher rate of CIL, the use of the units would need to be restricted to use class E (g)(iii), B2 and/or B8 of the Town and County Planning (Use Classes) (Amendment) (England) Regulations 2020 relating to industrial processes that can be carried out in a residential area without detriment to its amenity, general industrial and storage or distribution. This can be done by way of a planning condition, should planning permission be granted. The applicant has agreed to such a condition being imposed.

7. APPRAISAL

7.1 The main issues for consideration in the determination of this application are its acceptability in land use policy terms, design/appearance/layout, flood risk and drainage, climate change mitigation, landscaping and biodiversity, neighbouring amenities and means of access/parking.

7.2 Land Use Policy Considerations

7.2.1 The site is not allocated within the Stevenage Local Plan (2019) and therefore Local Plan Policy EC7 is the key land use policy for the assessment of this proposal. Policy EC7 (Employment development on unallocated sites) states that new major employment development will not be permitted outside of allocated areas and centres. Planning permission for B-class use on sites not allocated for any specific purpose will be granted where proposals:

- a) Are on previously developed land;
- b) For offices are accompanied by a sequential test;
- c) Are of an appropriate size and scale; and
- d) Do, and will, not have an unacceptable adverse impact on the local environment and residential amenity.

7.2.2 Paragraph 6.32 of the Local Plan also states employment uses outside of these areas (allocated employment sites) also play an important role in the local economy. They can help to create mixed-use localities that provide jobs for and services to, residents in line with sustainability objectives.

7.2.3 Although it is acknowledged Units B1, C1, C2, 3 and 3a are all subject to conditions which restrict the use of the premises to retail warehousing purposes only, the lawful use of the existing units as Class E 'Commercial, Business and Service' provides a degree of flexibility over how the retail park is used. Turning to Policy EC7, although not specifically allocated as such, it is considered the existing retail park is an employment generating site as the businesses that occupy the units also provide jobs. On this basis, it is not considered the development proposal can be defined as a 'new major employment development' as the site comprises existing employment generating uses.

7.2.4 Furthermore, the majority of the proposal involves the conversion and / or change of use of existing warehouse units supporting the conclusion that the proposal would not constitute new major employment development. It is concluded the proposal would not therefore be in conflict with this part of Policy EC7, which seeks to resist new major employment development outside of allocated areas.

7.2.5 The supporting text to this policy acknowledges employment uses outside of allocated sites also play an important role in the local economy by creating mixed use localities that provide jobs for and services to, residents in line with sustainability objectives. The Local Plan goes onto recognise that future employment opportunities in the Borough are likely to be insufficient to meet identified requirements, resulting in a shortfall in employment space provision in the town.

- 7.2.6 The Council's Employment Technical Paper dated December 2015, which forms part of the evidence base for the Local Plan, outlines that it is forecasted that there will be a requirement to provide 30 hectares of employment land over the plan period between 2011-2031. However, through the undertaking of the SLAA (Strategic Land Availability Assessment) it can be seen that a total of 19.4 hectares of land has been identified on the supply side. Therefore, the opportunities identified will deliver only 56% of the required quantum employment (paragraphs 3.40 to 3.42). The aforementioned Employment Technical Paper was updated in December 2016. A synthesis of the supply-side and demand-side data suggests that there is insufficient land available to meet the trend-based requirement for at least 30ha. The opportunities identified will deliver approximately 62% of the required quantum of employment land, resulting in a shortfall of approximately 11.5ha (paragraphs 3.10 and 4.4). As such, 'windfall' employment uses on sites such as this would assist in redressing the deficit in allocated employment sites across the Borough.
- 7.2.7 With regards to the proposed B2 / B8 uses, Policy EC7 allows for such uses on unallocated sites provided the relevant tests are met. In terms of criterion (a) the site can be defined as previously developed land and therefore this requirement is met. While there is likely to be some form of office space delivered as part of the scheme, this will be small-scale and ancillary to the predominant employment uses. Criterion (b) of Policy EC7 is therefore considered irrelevant to the proposal. In terms of criterion (c), it is considered that this is satisfied as the proposed conversion of the units relate to established buildings whose size and scale have already been accepted by virtue of previous planning permissions.
- 7.2.8 Furthermore, the three additional employment units (Units A1, D1 and D2) are extensions which have been designed in a way that respects the existing built form and nature of the existing terrace. With the surrounding area being primarily commercial in nature, it is considered that the proposed scheme to secure a range of employment related activities within a flexible range of E(g)(iii) and B-Class uses, would not have an unacceptable adverse impact on the local environment or on residential amenity. As such, it is considered that criteria (d) would also be satisfied.
- 7.2.9 The additional planning benefits of the proposal which are listed in the application submission are also noted; namely (i) the proposal would contribute to meeting the identified shortfall of approximately 14ha of employment land in Stevenage, as detailed in the FEMA; (ii) the provision of E(g)(iii) and B-Class floor space at the site will result in significant levels of job creation, prosperity and investment in compliance with Local Plan Policy SP3 objective to provide a strong, competitive economy; (iv) recognition that Stevenage is an important place for doing business and the scheme seeks to consolidate and strengthen the role that Stevenage will continue to play in this respect into the future and (v) the proposal will bring vacant commercial units back into use and breathe new life into the Retail Park.
- 7.2.10 With regards to the loss of retail floor space, Roebuck Retail Park is considered an out-of-centre location in retail planning terms and as a result, there is no policy protection in the Local Plan for the existing retail uses. In 2020 changes of use were approved to secure a gym (Class D2) (Ref: 20/00008/FP) and a MOT Centre (Class B2) (Ref: 20/00074/FP) at Units B2 and C3, respectively. In each case the loss of retail floor space was justified. It is also noted that the proposed self-storage occupier for Unit 3 and the trade counter type businesses for Units B1, B2, C2, C3 would all generate customer footfall to the site. The site would continue therefore to provide a service to the public as well as trade.
- 7.2.11 For the above reasons, it is concluded the proposed development would be considered acceptable in land use policy terms, subject to satisfying design, transport and environmental policies.

7.3 Design and Appearance

- 7.3.1 Paragraph 126 of the NPPF states that “The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve”. It goes on to state that “good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”.
- 7.3.2 Paragraph 130 of the NPPF sets out a number of requirements for new development, including that development:
- will function well and add to the overall quality of an area;
 - is visually attractive as a result of good architecture; layout and appropriate and effective landscaping;
 - is sympathetic to local character and history;
 - establishes or maintains a strong sense of place;
 - optimises the potential of the site to accommodate and sustain an appropriate amount and mix of development;
 - creates places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 7.3.3 Paragraph 131 of the NPPF places great importance on the role of trees in helping to shape quality, well designed places “Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change”.
- 7.3.4 Paragraph 134 of the NPPF states that “Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes”. Local Plan Policies SP8 ‘Good Design’ and GD1 ‘High Quality Design’ also seek to ensure new development achieves the highest standards of design. Policy GD1 sets out generic design requirements that will be applied to all development.
- 7.3.5 In terms of the proposed units A1, D1 and D2, these have been designed to replicate the external appearance, height and bulk of the existing terrace. This would ensure the units on the site have a uniform appearance and would avoid the potential issue of some units appearing more recent than others. The proposed form of the units has been designed with flexibility in mind, with the layouts allowing for a number of different activities to take place. The flexibility of the units should allow them to adapt to future changes and tenant / market requirements. Overall, the building form is simple and well-proportioned for a building of this nature, where clear internal heights and volumes are required for the efficient operation of the building.
- 7.3.6 Whilst the individual units are on the smaller side, the pitched roof provides some height and presence to them. The chosen roof form has allowed for greater internal storage whilst minimising the impact, both visual and physically. The proposed units would replicate the materials used on the main terrace, mainly composite panel wall and roof cladding with aluminium framed windows. These have been used to create a strong and clear aesthetic with a high quality appearance. In terms of Unit 3, the external elevations would be refreshed and updated for the new self-storage occupier and would include new signage to be agreed under a separate advertisement consent application.
- 7.3.7 It is considered the proposed design and form of units A1, D1 and D2 is of high quality and would appear in keeping with the existing retail park. Overall, with the introduction of the new units and refresh of Unit 3, it is considered the overall appearance of the site would be significantly improved on what is currently a retail park suffering from high vacancy rates and buildings in need of refurbishment.

7.3.8 The proposal would be in accordance with paragraphs 126, 130,131,132 and 134 of the NPPF in respect of design, Policies SP8 and GD1 – High Quality Design of the Local Plan (2019) and Stevenage Design Guide (2009).

7.4 Access, Highways and Parking

Vehicle Access and Highway Safety

7.4.1 The proposed development is served from the existing accesses via the western arm of the London Road roundabout that is designated as the B197 and the two existing accesses to the north of the roundabout, including the entry only from London Road and the priority junction serving the Halford's service yard. The service road has sufficient capacity to accommodate large vehicles likely to use the development and has been tested by a swept path analysis as shown in appendix B of the Transport Assessment. There is also sufficient room within the service yard for the manoeuvring of articulated and other large vehicles to enable to them to turn around and egress the access in forward gear.

7.4.2 Hertfordshire County Council (HCC) research indicates that in the last 5 years there have been no vehicle collisions along Six Hills Way in the vicinity of the access to Norton Road. HCC as Highway Authority have raised no objection to the application proposal, which is considered acceptable in terms of vehicle access and highway safety.

Parking

7.4.3 In terms of proposed parking, the development site includes a total of 172no. car parking spaces, of which, 19no. would be disabled bays and 10no. electric vehicle charging bays, 22no. cycle parking loops (providing parking for 44no. cycles) and 1no. covered bike store (providing storage for c.8 cycles). The existing retail park has a total of 227 car parking spaces. The proposal would result in the loss of 55 car parking spaces to make way for the new build floor space at Units D1, D2 and A1.

7.4.4 In terms of the parking requirements for the proposed units in class E(g)(iii), B2 and/or B8 use, this site would be categorised as a mixed use site under the Council's Parking Provision SPD (2020), which advises parking provision for such developments should be calculated on a site by site basis, and assessed via the TA process. In some areas of the town, the ease of access by passenger transport and access to daytime public parking allows for lower levels of parking to be provided for private non-residential uses. However, the application site does not fall within a Non-residential Accessibility Zone.

7.4.5 Although the development includes an increase in overall GFA, the Transport Assessment concludes the proposed land uses would result in a net reduction of traffic generated. The proposed development is expected to produce fewer trips compared to the existing / established land uses. The proposed development is expected to generate 1 additional trip during the AM peak period. However, the proposed development is forecast to generate 76 fewer two-way trips during the PM peak hour, and 754 fewer two-way trips in total daily. The traffic generation exercise therefore demonstrates that the proposed development is expected to have a negligible impact during the AM peak and a reduced impact in the PM peak and in total across the day. This is likely to create a reduced demand for parking spaces, lending weight to the Highway Authority's conclusion that the proposed car park would provide sufficient parking to accommodate the parking demand of the development.

7.4.6 In terms of electric vehicle (EV) charging, the Parking Provision SPD (2020) requires a minimum of 20% of new parking on the site to have access to an active EV charging point. The proposals include provision of 10no. electric vehicle (EV) charging through the conversion of existing spaces into EV charging spaces. Furthermore, underlying infrastructure will be provided for connection to the electricity network which will need to be

activated through the installation of EV charging points to be used in the future as technologies evolve and EV uptake increases. As the policy for EV charging spaces relates to new parking only and the proposal involves the reconfiguration of the existing car park, the provision of 10 EV spaces is considered acceptable.

- 7.4.7 With regards to parking for disabled motorists, the Parking Provision SPD requires 5% of total provision to be provided as disabled parking for visiting disabled motorists for B2/B8 and sui generis uses and 6% for E class uses. The applicant is providing 19 disabled parking spaces, which equates to 11% of total provision in excess of the policy requirement. It is considered this approach is acceptable.
- 7.4.8 In terms of cycle parking, the minimum requirement set out within the Parking Provision SPD is 1 long term (staff) space per 500sqm and 1 short term (visitor) space per 1,000sqm for class B2/B8 uses and 1 long term (staff) space per 250sqm and 1 short term (visitor) space per 350sqm for class E uses. The development proposals include 22no. cycle loops (parking for 44no. cycles) and one covered bike store (storage for c.8 cycles) providing parking for up to 54no. cycles. The proposed cycle parking provision exceeds the Council's minimum cycle parking standards and is considered acceptable.
- 7.4.9 It is considered the proposed parking arrangements would comply with Local Plan Policy IT5 'Parking and Access' and the proposal is considered acceptable in this regard.

Trip generation, Distribution, Impact

- 7.4.10 Based on the Trip Rate Information Computer System (TRICS) trip rates, the proposed development is expected to generate 39 two-way trips during the AM peak (8-9am) travelling period and 76 two-way trips during the PM peak (4-5pm) travelling period. The proposed development is expected to generate 774 fewer two-way trips in total daily and is therefore anticipated to have a reduced impact on the local highway network. In terms of the traffic impact that the development has on the local highway network the traffic generation would not increase. Consequently, the trip rates to the development are considered acceptable. The traffic generated by the new development is unlikely to affect the overall performance of the existing junction onto London Road in comparison to the original traffic generation to the development. The development would not have altered the overall impact on the adjacent highways.
- 7.4.11 HCC as Highway Authority has considered that the proposal would not increase the traffic generation or the vehicle movement to the development and would not have a severe effect on the safety and operation of the adjoining highways.

Deliveries, Loading and Servicing, Waste Collection

- 7.4.12 All deliveries, loading, servicing and waste collections would take place within the existing service areas to the rear of retail units, using the existing entrances. Existing refuse collection arrangements for the retail park would remain in place.

Travel Plan

- 7.4.13 An application for this level of development i.e. > 5000m² requires a Travel Plan, which has been prepared in accordance with the HCC Travel Plan Guidance for Business and Residential Development (2020). HCC as Highway Authority require the measures, targets and monitoring contained within the Travel Plan to be secured via a s.106 Agreement. An in principle Travel Plan has been submitted and contains a range of short, medium and long-term actions to increase the use of sustainable modes of travel and decrease the use of single occupant vehicles.

7.4.14 The Travel Plan outlines that funding of £6,000 will be provided to HCC to cover the costs required for annual trip monitoring and measures required to meet the targets. The amount of funding will be agreed with the Council prior to the signing of the s.106 Agreement. A Travel Plan co-ordinator should also be nominated within the Travel Plan and the Travel Plan will be the responsibility of the developer.

7.4.15 The Travel Plan outlines a system for monitoring including travel surveys. Follow-up surveys will be agreed with SBC / HCC prior to the signing of the s.106 Agreement. Overall, HCC as Highway Authority considers the draft Travel Plan to be adequate for the proposed development and a Full Travel Plan should be secured via a s106 Agreement.

7.5 Biodiversity and Trees

7.5.1 The NPPF and accompanying Planning Practice Guidance requires the Council to achieve measurable net gains in biodiversity at development sites and across the Borough. To achieve a biodiversity net gain, a development must deliver a minimum of 10% net gain post development, when compared with the pre-development baseline. The Council's recently adopted Biodiversity SPD (2021) requires all major and minor applications other than the following exemptions currently suggested by the Government to demonstrate a net gain in biodiversity:

- i. Permitted development;
- ii. Householder development, including extensions;
- iii. Nationally significant infrastructure, which falls within scope of the Planning Act 2008;
- iv. Some brownfield sites with marginal viability and substantial constraints. It is expected that full details to be set out in secondary legislation, but considerations are likely to include where sites contain a high proportion of derelict land and buildings and only a small percentage of the site is undeveloped, land values are significantly lower than average, and the site does not contain any protected habitats; and
- v. Developments that would not result in measurable loss or degradation of habitat, for instance change of use of or alterations to building

7.5.2 As the application site comprises buildings and a large area of car park, it is considered it would meet exception criteria iv and v above as 100% of the site is previously developed and does not contain any protected habitats. On this basis, there would be no requirement to achieve a 10% biodiversity net gain on the site.

7.5.3 The design proposal aims to retain a landscaping strip to the frontage, with existing trees and additional foliage as part of the proposals. Due to the built up, hard surfaced nature of the site there would not be any implications for existing ecology to consider as part of the application.

7.5.4 The application is accompanied by an Arboricultural Assessment by Barrell Tree Consultancy and tree protection plan ref. 21086-1, which advises the proposal would result in the loss of 10 trees located in the existing car park that are all low category because of their poor condition or small size. All the significant boundary tree cover would remain intact and no high category trees would need to be removed. Eight new trees, selected from field maple (*Acer campestre*), London plane (*Platanus x hispanica*), hornbeam (*Carpinus betulus*), and cherry (*Prunus avium*), are proposed to be planted to mitigate their loss at the locations illustrated on the tree protection plan. All new trees would be specified and planted in accordance with the recommendations in BS 8545 (2014) *Trees: from nursery to independence in the landscape – Recommendations*. These new trees would have the potential to reach a significant height without excessive inconvenience and be sustainable

into the long term, significantly improving the potential of the site to contribute to local character.

- 7.5.5 The construction activity and proposed changes may affect further trees if appropriate protective measures are not taken. However, if adequate precautions to protect the retained trees are specified and implemented through the arboricultural method statement, the Arboricultural Assessment report concludes the development proposal would have no long term detrimental impact on tree health or the contribution of trees to character in the wider setting. Subject to planning conditions requiring replacement tree planting and suitable protection for existing trees during construction which have been identified to be retained, the proposal is considered to be in accordance with Section 15 of the NPPF and policies SP12 and NH5 of the Local Plan (2019).

7.6 Flood Risk and Drainage

- 7.6.1 Following the objection from the Lead Local Flood Authority, an updated Flood Risk Assessment and Surface Water Drainage Strategy (versions 1.2 and 1.1 by Weetwood) have been submitted. The reports review the drainage and flood risk issues associated with the proposed development and set out the drainage strategy. The reports state that the proposed development is located within Flood Zone 1 and that flood risk from all other sources is low. The development of the site as proposed is therefore appropriate as set out by the 'flood risk vulnerability classification' contained within the Planning Practice Guidance. The Report sets out details in respect of surface water and foul water drainage.

- 7.6.2 It is proposed to discharge to the existing surface water sewer serving the site via two connections, with the site split into two catchments. Units D1 and D2 are proposed to discharge freely to the existing surface water sewer in the east of the site. Unit A1 will drain to a new surface water manhole online with the existing 150mm private sewer located in the carpark, at a controlled rate of 11.2 l/s. This private network discharges to Stevenage Brook southeast of the site via an existing culvert under London Road. This provides 70% betterment over the brownfield rates. Infiltration testing is recommended to verify the potential to discharge via infiltration.

- 7.6.3 The latest comments from Hertfordshire County Council (HCC) as Lead Local Flood Authority (LLFA) dated 12 November 2021 advise that the information provided does not provide a suitable basis for an assessment to be made of the flood risks arising from the development. Consequently, the LLFA raised objection and recommends planning permission is refused. In order for the LLFA to advise that there is no risk from surface water flooding, the application is required to include the following:

1. We understand it is proposed to drain Unit A1 and the surrounding area to the existing surface water sewer at 11.2 l/s. We are pleased the applicant proposes an attenuation tank with the possibility to use permeable paving to provide surface water attenuation; however the applicant should seek to discharge at greenfield runoff rates and volumes, including Units D1 and D2. We would be very concerned where unrestricted discharges are proposed. Our policy for all sites, including brownfield locations, is for runoff to be restricted to greenfield rates. This should be either the QBAR rate or restriction to the respective greenfield rates for each storm event via complex control. Therefore, additional attenuation capacity may be required in order to reduce the discharge to greenfield runoff rates.

2. We are pleased the applicant has provided detailed post-development network calculations for all events up to and including the 1 in 100 year + 40% climate change event. However, we would request the following clarifications. We understand the design is not an infiltration-based system. We require provision of half drain down times no greater than 24 hours up to and including the 1 in 100 year + 40% climate change event for all attenuation features whether they are discharging via infiltration or not, such as for

attenuation ponds and tanks. Furthermore, we note that a flooded volume of 8.599m³ is indicated to occur during the 1 in 100 year + 40% climate change storm at pipe number 1.000. We understand the diameter of this pipe could be upgraded to reduce the potential for flooding.

- 7.6.4 In order to address the concerns raised, an updated Flood Risk Assessment and Surface Water Drainage Strategy were submitted in November 2021 (versions 1.2 and 1.1 by Weetwood). Surface water runoff generated within the proposed areas of development will be restricted to greenfield runoff so far as is reasonably practical. Each catchment area at Unit A1 and Units D1/D2 will be restricted to 3.0 l/s. This will provide a significant reduction to the overall peak discharge from the wider site. Each development area will incorporate the use of SuDS and water quality measures through permeable paving and geocellular attenuation tanks beneath the parking bays. These measures address the LLFA requirements in point 1 above.
- 7.6.5 With regards to point 2 above (half drain down times), the updated Surface Water Drainage Strategy provides further details on this which would be subject to planning condition. During the 1 in 100 AEP +40% climate change event, Microdrainage shows half drain down time to be 56 minutes for the attenuation structure / pipe number 1.003. During the 1 in 100 AEP +40% climate change event, at pipe number 1.000, Microdrainage shows a flooded volume of 8.599m³. Flood depths are less than 100mm and the drainage consultant has advised they would expect them to be intercepted by adjacent gullies, however, it may be possible to either increase the diameter of the existing drain 1.000 to account for this. This would be subject to detailed design. With the above measures in place, the scheme has been designed to ensure that it does not create any flood risk events on site or to the wider area.
- 7.6.6 At the time of drafting this report, the LLFA were re-consulted on the amended drainage strategy and FRA which sought to address all of the concerns raised. To date, no comments have been provided by the LLFA. Therefore, if the Council was minded to grant planning permission combined with the fact that the Council has to determine applications within a reasonable timeframe as detailed in the NPPF and accompanying Planning Practice Guidance, it is recommended appropriately worded conditions are to be imposed to ensure an acceptable drainage strategy can be delivered as part of this development.
- 7.6.7 In addition to the above, it is also recommended that delegated powers are given to the Assistant Director of Planning and Regulatory and the Chairman of the Planning Committee that in the event the LLFA do provide comments on the revised strategy with a suggested list of conditions, then these conditions would be imposed accordingly before any planning permission is issued by the Council. However, if the LLFA raise a substantive objection to the amended drainage strategy which has been submitted and this cannot be resolved, then it is recommended that this application is referred back to the Planning and Development Committee for its decision.

7.7 Climate Change Mitigation

- 7.7.1 The application is accompanied by an Energy and Sustainability Statement by Cundall, which confirms the proposals would achieve a BREEAM 'Very Good' rating in accordance with the requirements of the Council's Design Guide (2009). In summary, the following key features affecting sustainability would be applied to the development:
- High thermal performance building fabric: low U-values and air permeability to ensure heating and cooling demand and resulting energy costs are controlled for end users;
 - The use of air source heat pumps to generate thermal energy efficiently;
 - Use of both mechanical ventilation with heat recovery to provide fresh air while minimising heat losses; and

- An array of photovoltaic panels on the roof, approximately 44m² in size to generate clean electricity for the development and help to reduce its carbon footprint.

7.7.2 It is considered the information provided within the application demonstrates that the proposed development would accord with the requirements of policies SP2 and FP1 of the Local Plan (2019) in relation to sustainable construction and climate change mitigation and is acceptable.

7.8 Pollution

7.8.1 It is considered the proposal would meet the tests of Policy FP7 'Pollution', as it would not have unacceptable impacts on (i) the natural environment, general amenity and the tranquillity of the wider area, including noise and light pollution; (ii) health and safety of the public and (iii) the compliance with statutory environmental quality standards. 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 in close proximity to an Air Quality Management Area (AQMA).

7.9 Impact on Residential Amenity

7.9.1 The application site is an existing retail park and is surrounded by similar retail / employment uses and the East coast mainline railway to the west. The proposal would not raise any issues in terms of impact on neighbouring residential amenity, as there are no residential buildings in close proximity to the site.

7.10 Local Employment and Apprenticeships

7.10.1 The recently adopted Developer Contributions SPD (2021) introduces a requirement that developers of major development will enter into a legal agreement with the Council to:

- i. attempt to fill 5% to 10% of construction jobs on-site associated with their development with Stevenage residents,
- ii. attempt to fill one apprenticeship position per 10 construction jobs on-site with a Stevenage resident or student (with a cap for requirement of 10 apprenticeships),
- iii. report whether or not they met these requirements, and provide a financial contribution in lieu of not achieving either or both targets.

7.10.2 The above SPD was adopted after pre-application advice had been given. As such, the applicant has not submitted a Local Employment Strategy to demonstrate how the above targets would be met. It is considered the submission of a Local Employment Strategy could be secured via a planning condition, where the local employment targets could be agreed with the applicant prior to commencement of development and the delivery of local jobs managed through a Legal Agreement.

7.11 Construction Impacts

7.11.1 Construction would take place within the confines of the application site, accessed from London Road. There are no residential properties in close proximity that would be affected by the construction impacts of the development. The Highway Authority has requested that no development shall commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority and this would be subject to a planning condition should planning permission be granted.

7.12 Other Matters

Human Rights and Equalities

- 7.12.1 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.
- 7.12.2 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.
- 7.12.3 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.
- 7.12.4 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.
- 7.12.5 In terms of inclusive access, the Building Regulations Approved Documents and the Equality Act have been referred to during the scheme design. The site is generally level, which would provide easy access for wheelchair users. There would be 19 disabled parking spaces provided, which equates to 11% of total provision in excess of the policy requirement. The car park links directly onto London Road, giving pedestrians and vehicles good access to the site. Adequate emergency access has been designed as part building in accordance with Part B of the building regulations.

8. CONCLUSIONS

- 8.1 The planning application proposes the conversion of existing units at Roebuck Park to provide a self-storage facility (within Use Class B8) at Unit 3 and employment units for a flexible range of employment uses (within Use Classes E(g)(iii), B2 and/or B8) at Units B1, C2 and C3, together with the provision of three new build employment units either side of the existing terrace (Units A1, D1 and D2) for a flexible range of employment uses (within Use Classes E(g)(iii), B2 and/or B8), and associated works. An assessment of the proposal has also been carried out against national and local design, transport and environmental policies and found to be acceptable.
- 8.2 The proposal is in conformity with the NPPF and the Development Plan. There are no other material planning considerations which indicate that policies in the plan should be outweighed and that planning permission should not be given.
- 8.3 Given the above, it is recommended that planning permission is granted subject to the conditions set out in section 9 of this report.

9. RECOMMENDATIONS

9.1 That planning permission be GRANTED subject to the applicant having first entered into a unilateral undertaking to secure/provide contributions towards:-

- Travel Plan monitoring fee
- Local Employment and Apprenticeships

The detail of which would be delegated to the Assistant Director of Planning and Regulation in liaison with the Council's appointed solicitor.

9.2 The proposal be subject to the following conditions, the final details of which shall be delegated to the Assistant Director:-

1 The development hereby permitted shall be carried out in accordance with the following approved plans:

PL1001 – 04; PL1102 – 05; PL1104 – 02; PL1110 - 03; PL1111 – 04; PL1125 – 04; PL1205 – 03; PL1206 – 03; PL1210 – 07; PL1211 – 06; PL1225 – 05; PL1226 – 04; PL1103 – 04; PL1201- 05; 20141-C4P-V1-00-DR-A-2000_P6; 20141-C4P-V1-ZZ-DR-A-2101_P3; 21086-1

REASON:- For the avoidance of doubt and in the interests of proper planning.

2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON:- To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

3 The building works required to implement this permission shall be carried out only between the following times:

0730 to 1800 Mondays to Fridays
0800 to 1300 Saturdays
And not at all on Sundays and Bank Holidays.

The hours specified relate to activities which are audible at the site boundary.

REASON:- To satisfactorily protect the operation of adjoining businesses.

4 No piling shall take place until a Piling Method Statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

REASON:- The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure.

5 The development hereby permitted shall be completed in accordance with the external materials specified within drawing number PL1211 – 06 submitted to and approved by the Local Planning Authority.

REASON:- To ensure a satisfactory appearance for the development.

- 6 Before any development commences, including any site clearance or demolition works, any trees on the site shall be protected by fencing or other means of enclosure in accordance with the recommendations within the Arboricultural Assessment and Method Statement by Barrell Tree Consultancy dated June 2021. Such protection shall be maintained until the conclusion of all site and building operations.
REASON:- To ensure that the retained tree(s) are not damaged or otherwise adversely affected during site operations.
- 7 Within the areas to be fenced off in accordance with condition 6, there shall be no alteration to the ground level and they shall be kept clear of vehicles, materials, surplus soil, temporary buildings, plant and machinery.
REASON:- To ensure that the retained tree(s) is not damaged or otherwise adversely affected during site operations.
- 8 No tree shown retained on the tree protection plan number 21086-1 shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped within five years of the completion of development without the written approval of the Local Planning Authority.
REASON:- To ensure the protection of those trees which should be retained in the interests of visual amenity.
- 9 If any retained tree referred to in condition 8 is removed, uprooted or destroyed or dies within 5 years of the completion of development, a replacement tree should be planted in the same place and that tree shall be of such a size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.
REASON:- To ensure the replacement of those trees which should be retained in the interests of visual amenity.
- 10 Replacement tree planting shall be carried out in accordance with the approved details as set out in the Arboricultural Assessment and Method Statement by Barrell Tree Consultancy dated June 2021 in accordance with the recommendations in BS 8545 (2014) *Trees: from nursery to independence in the landscape – Recommendations*.
REASON:- To ensure a satisfactory appearance for the development.
- 11 Any replacement trees, 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.
- 12 All car parking spaces shown on drawing number PL1201 – 05 shall be provided, marked out and hard surfaced ready for use prior to the first occupation of the units and shall be retained in that form and kept available for those purposes thereafter.
REASON:- To ensure that adequate parking and servicing facilities are available within the site and that there is no detriment to the safety of adjoining highways.
- 13 The measures to address adaptation to climate change as set out within the Energy and Sustainability Statement by Cundall dated June 2021 shall be implemented and permanently maintained in accordance with the approved details.
REASON:- To ensure the development is adaptable to climate change through provision of energy and water efficiency measures.
- 14 The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment (version 1.2) and Surface Water Drainage Strategy (version 1.1) prepared by Weetwood dated November 2021.
REASON:- To prevent flooding by ensuring the satisfactory disposal and storage of surface water from the site and to reduce the risk of flooding to the proposed development.

- 15 No development shall take place until a detailed surface water drainage scheme for the site based on the approved drainage strategy and sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including 1 in 100 year + climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
- 1) Detailed infiltration tests conducted to BRE Digest 365 standards and geotechnical investigations to confirm the feasibility of discharge via infiltration and groundwater levels on site.
 - 2) Detailed engineered drawings of the proposed SuDS features including cross section drawings, their size, volume, depth and any inlet and outlet features including any connecting pipe runs.
 - 3) Final post-development network calculations for all storm events up to and including the 1 in 100 year + 40% climate change event with half drain down times.
 - 4) Exceedance flow paths for surface water for events greater than the 1 in 100 year including climate change allowance.
 - 5) Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

REASON:- To prevent the increased risk of flooding, both on and off site.

- 16 Upon completion of the drainage works for the site and in accordance with the timing/phasing arrangement, a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
1. Provision of a complete set of as built drawings for site drainage.
 2. Maintenance and operational activities.
 3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

REASON:- To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

- 17 No above ground works shall take place until a Local Employment Strategy prepared with reference to section 10 of the Council's Developer Contributions SPD (2021) is submitted to and approved by the Local Planning Authority. The development shall be completed in accordance with the agreed local employment targets.

REASON:- To ensure that the benefits of the development contribute to the economic growth of the town and subsequently benefit the town's residents and workforce.

- 18 The use of the units hereby approved shall be limited to Schedule 2, Part A, Class E (g)(iii), B2 and/or B8 of the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 relating to industrial processes and storage and distribution and shall be used for no other purposes.

REASON:- To prevent the unrestricted change of use to retail (Class E (a)) without paying the required CIL charge under the Council's adopted Community Infrastructure Levy Charging Schedule.

- 19 No above ground works shall take place until a scheme for the provision of adequate water supplies and fire hydrants, necessary for firefighting purposes at the site, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the scheme has been implemented in accordance with the approved details.

REASON:- To ensure adequate water infrastructure provision is made on site for the local fire service to discharge its statutory firefighting duties.

- 20 Development shall not commence until a construction methodology has been submitted to and approved in writing by the Local Authority. The construction methodology shall

demonstrate consultation with the Asset Protection Project Manager at Network Rail. The development shall thereafter be carried out in accordance with the approved construction methodology unless otherwise agreed in writing by the Local Planning Authority.

REASON:- The safety, operational needs and integrity of the railway.

21 Development shall not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Management Plan of:

- a. Construction vehicle numbers, type, routing;
- b. Access arrangements to the site;
- c. Traffic management requirements
- d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
- e. Siting and details of wheel washing facilities;
- f. Cleaning of site entrances, site tracks and the adjacent public highway;
- g. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
- h. Provision of sufficient on-site parking prior to commencement of construction activities;
- i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- j. where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements.

REASON:- In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan.

INFORMATIVES

1. Community Infrastructure Levy

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

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

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

2. Storage of materials: The applicant is advised that the storage 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/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

- 3 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 willfully 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 <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> telephoning 0300 1234047.
- 4 Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and 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 are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.
- 5 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 For enquiries, advice and agreements relating to construction methodology, works in proximity to the railway boundary, drainage works, or schemes in proximity to railway tunnels (including tunnel shafts) please email assetprotectioneastern@networkrail.co.uk.
- 7 To obtain advice regarding current Building Regulations please contact Hertfordshire Building Control Ltd. by emailing us at buildingcontrol@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., 4th Floor, Campus West, Welwyn Garden City, Hertfordshire, AL8 6BX.

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).

- 8 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>

10. BACKGROUND DOCUMENTS

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage Borough Council Supplementary Planning Documents – Parking Provision and Sustainable Transport (2020), Stevenage Design Guide SPD (2009), Developer Contributions SPD (2021) and The Impact of Development on Biodiversity SPD (2021)
3. Stevenage Borough Local Plan 2011-2031 adopted 2019.
4. Hertfordshire County Council's Local Transport Plan 4 adopted May 2018.
5. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
6. Central Government advice contained in the National Planning Policy Framework July 2021 and Planning Policy Guidance March 2014.