

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

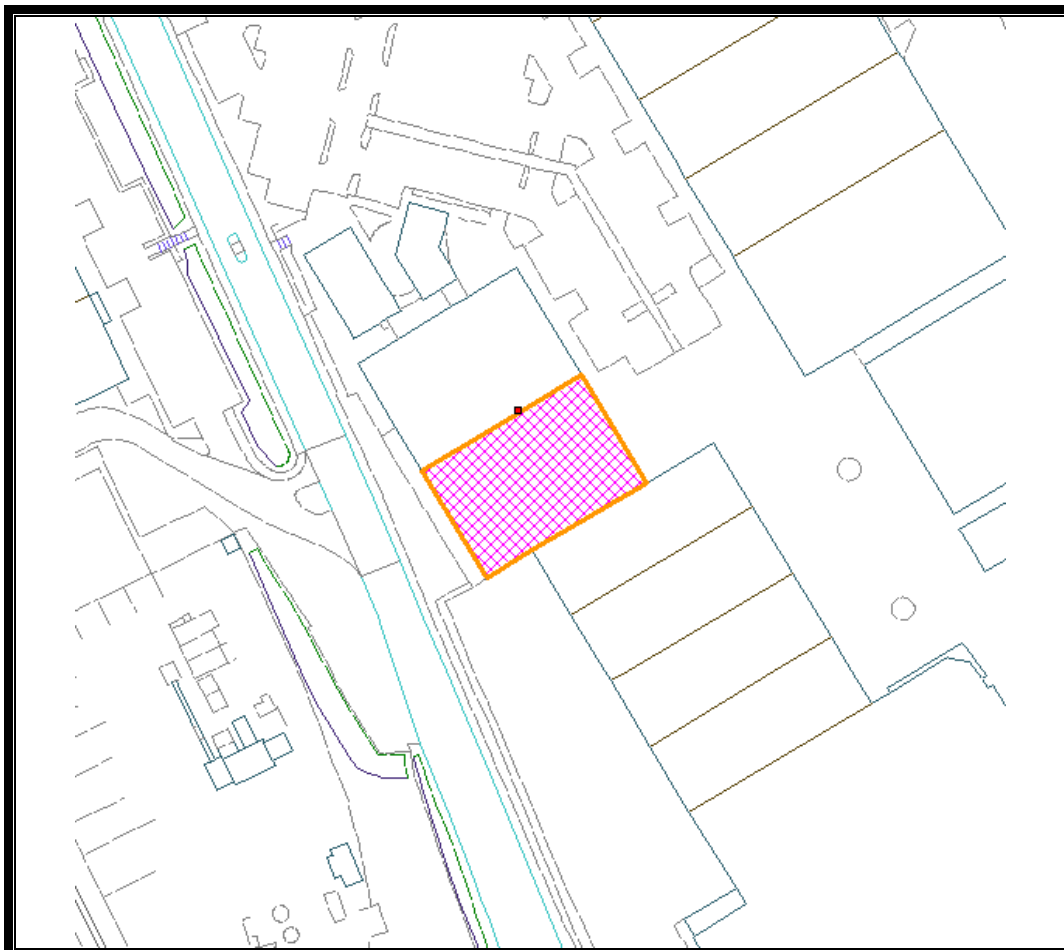
Date: 3 October 2023

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| Application Nos : | 23/00393/FPM 23/00350/S106 |
| Location : | Unit 7B Roaring Meg Retail Park, London Road, Stevenage |
| Proposal : | External alterations and insertion of mezzanine floorspace (ref. 23/00393/FPM) Variation of s106 agreement dated 4 December 2014 (ref. 23/00350/S106) |
| Drawing Nos.: | 2264-U7B-L01; 2264-U7B-X01; 2264-U7B-P01-A; 2264-U7B-P02-A; 2264-U7B-P03-A; 2264-U7B-X02-A |
| Applicant : | Stevenage Retail Limited |
| Date Valid: | 22 May 2023 |
| Recommendation : | GRANT PLANNING PERMISSION |



1. SITE DESCRIPTION

- 1.1 The application site is located approximately 1km south of Stevenage Town Centre within the Roaring Meg Retail Park, now known as 9 Yards Stevenage. As such, the retail park occupies an 'out-of-centre' location in terms of planning policy. Roaring Meg Retail Park, extending to some 33,000m² floorspace, is an established retail destination serving the wider Stevenage area, complimenting the Town Centre's retail and leisure offer whilst also serving as a significant employer in the local area. The retail park can be accessed from both Monkswood Way to the east and London Road to the west.
- 1.2 The application site comprises the vacant Unit 7B, extending to 1,116m² at ground floor level. There is currently no mezzanine floorspace within the unit. Part of the Retail Park is located within Flood Zone 2 and Flood Zone 3. The proposals would result in no change to the overall building footprint and therefore does not give rise to any flood related issues. The site is not located within a Conservation Area nor within close proximity to any listed buildings.

2. RELEVANT PLANNING HISORY

- 2.1 Planning permission was originally granted for the Retail Park in April 1987 (under permission 2/0048/87). The description of development was for:

Sub-regional durable goods retail warehouse complex, ice rink and leisure unit, residential flat, licensed restaurant, fast food units, community arts centre and car and coach parking facilities, and improvements to water meadow.

- 2.2 On 8 October 2002, an application (Ref: 01/00230/FP) to vary condition 4 of planning permission 2/0048/87 to allow the sub-division of unit 7 was granted. The following condition was attached to the permission:

No retail unit, within unit 7, shall be less than 929m² of gross floorspace.

- 2.3 A subsequent application under planning reference 06/00214/FP was approved in July 2006 for the subdivision of unit 7 to create 2 units. It should be noted that this permission did not impose any restrictive conditions onto the units. Further to the above, a Certificate of Lawfulness of Proposed Use (08/00081/CLPU) for the unrestricted sale of retail goods under use class A1 (now superseded by Use Class E) was granted at Appeal.

- 2.4 In August 2015, planning permission (Ref:15/00322/FP) was granted for the removal and reprovision 808.5m² of mezzanine floorspace along with a replacement shopfront at Unit 7B. Planning application (18/00325/S106) to vary the Section 106 agreement to allow food sales from the subject unit was submitted in June 2018 and subsequently withdrawn. The proposals sought to facilitate the occupation of the unit by M&S Simply Food.

- 2.5 Planning permission for the redevelopment of Unit 5 was granted in December 2014, with the only restriction on the use being the preclusion of sale of food, unless this was ancillary to the main use (14/00111/FPM). The permission was granted subject to a Section 106 agreement dated 4 December 2014, which included Obligation 5 within the Third Schedule, re-attaching the original user restriction on Units 2, 6 and 7 – i.e. the units which had benefitted from the unrestricted retail use confirmed by the previously secured Lawful Development Certificates.

- 2.6 The obligation states:

Units 2, 6 and 7 Roaring Meg Retail Park aforesaid shall not be used for the sale of any foodstuffs for consumption off the premises, clothes, footwear (other than specifically for the playing of sport) or other fashion goods retailing pursuant to the Lawful Development Certificates).

- 2.7 It should be noted the original planning permission for the Retail Park (ref. 2/0048/87) included the below goods restriction at Condition 3:

Range of goods to be sold from the development shall be confined to retail warehousing of comparison goods to exclude expressly the sale of all foodstuffs for consumption off the premises, clothes and footwear (other than specifically for the playing of sport), or other fashion goods.

- 2.8 On reviewing in further detail, there is a change in wording and grammar between the original restrictive condition under permission ref. 2/0048/87 and the wording used in the 14/00111/FPM s106 agreement which is significant. The original restriction states clothes and footwear (other than specifically for the playing of sport), however the restriction in the 14/00111/FPM s106 agreement states clothes, footwear (other than specifically for the playing of sport) which would only allow footwear for the playing of sport and not clothes, which is significant for this application given the proposed tenant.
- 2.9 Following clarification with the applicant, it was agreed that the comma between clothes and footwear was introduced in error when the updated s106 agreement was being drafted in 2014. On reviewing the 2014 committee report, during which this restriction was re-attached, it is clear that the reference was to the original restriction, i.e. 'clothes and footwear (other than for the playing of sport)'. Whilst the original permission restrictions therefore do not currently apply under the 2014 s106 agreement, it is acknowledged the goals / spirit of the original permission was to allow bulkier sporting goods and footwear on the Retail Park.
- 2.10 On the basis that the obligation needs to be revised in any case to allow the USC fashion concession to occupy the unit alongside Sports Direct, it has been agreed to amend the obligation to follow the wording used in the original 1987 planning permission so that it would permit sports clothing *and* sports footwear by replacing the comma with the word 'and'. The rationale for the original obligation was to prevent fashion clothing retailers from occupying the unit without planning permission and such a revision (accounting for limited fashion clothing sales as proposed within USC) would therefore remain consistent with this.
- 2.11 It is therefore agreed that the prevailing planning permission:
- Precludes the sale of foodstuffs (for consumption off the premises), clothing and footwear (other than for the playing of sport) and fashion goods.
 - Sports Direct (without the ancillary USC fascia) could therefore occupy the unit without any variation to the permitted range of goods restriction. It is only the ancillary USC element, which sells fashion clothing and footwear, which triggers the requirement for a variation to the existing goods restriction.
 - There are no conditions which preclude the insertion of mezzanine floorspace up to the limit of 200m² and;
 - There are no conditions which preclude internal works.

3. THE CURRENT APPLICATION

- 3.1 This report covers both application ref. 23/00393/FPM for the external alterations and insertion of mezzanine floorspace and application ref. 23/00350/S106 for the variation of

Section 106 Agreement (dated 04.12.2014) approved under planning permission reference number 14/00011/FPM.

3.2 The proposals comprise the modification of Obligation 5 of the Third Schedule of Section 106 Agreement dated 4 December 2014 back to the original wording of the restrictive goods condition of the 1987 planning permission to allow occupation of the unit by Sports Direct and fashion retailer USC, the insertion of mezzanine floorspace and associated external alterations. The modification of the restriction, which currently prevents the sale of fashion clothing and footwear, would facilitate Sports Direct occupying the unit and providing its USC fashion and clothing concession within the store in line with the operator's business model requirements.

3.3 The proposal seeks to modify the schedule as follows:

Units 2, 6 and 7 Roaring Meg Retail Park aforesaid shall not be used for the sale of any foodstuffs for consumption off the premises, clothes and footwear (other than specifically for the playing of sport) or other fashion goods retailing pursuant to the Lawful Development Certificates); other than for the sale of clothing and footwear from up to 446m² of the sales area within Unit 7B, shown edged red on the enclosed Site Location Plan.

3.4 Following the proposed reconfiguration of the internal floorspace and the insertion of the proposed mezzanine floorspace, the floorspace breakdown within the unit would be as follows:

| Unit 7B | Existing Floorspace | Proposed Floorspace | Difference |
|----------------|----------------------------|----------------------------|-------------------|
| Ground Floor | 1,116 sqm | 1,116 sqm | - |
| Mezzanine | - | 1,115 sqm | +1,115 sqm |
| Total (GIA) | 1,116 sqm | 2,231 sqm | +1,115 sqm |

3.5 In summary, the proposals comprise 3 elements:

- Modification of Clause Obligation 5 within the Third Schedule of the s106 Legal Agreement dated 4 December 2014, to allow the sale of fashion and clothing from up to 20% (extending to 446m²) of floorspace of Unit 7B;
- External alterations including amendments to the elevations including recladding, new glazing and entrance doors; and
- The insertion of a mezzanine floor comprising 1,115m² gross floorspace resulting in a total unit size of 2,231m² gross (a net uplift of 1,115m² or 915m² if one takes into account the 200m² allowance).

3.6 The application is being considered at Planning and Development Committee as it is a major application.

4. PUBLIC REPRESENTATIONS

4.1 Following notification of the application via letters, the erection of a site notice and press advert, no public representations were received.

5. CONSULTATIONS

HCC Highway Authority

5.1 In response to the Highway Authority's initial comments, the applicant's transport consultant submitted data obtained from the management company of the entry and exit movements

by hour for the week commencing the 24th July, and the other a chart of the daily entries across May, June and July 2023. Whilst the hourly data as mentioned by the consultant obtained is for July, during school holidays, the monthly figures compiled show that the July flows were higher than May and June, therefore the data for July is acceptable.

- 5.2 The car park accumulation assessment/table shows the peak period is on Sundays between 1200-1300hrs with 779 spaces occupied which is 87% capacity of the car parks, consequently the Highway Authority is satisfied that there is sufficient spare capacity in the car park and the additional volume of traffic most likely linked trips is not expected to lead to any detrimental impact on the operation and safety of the public highway road network. The Highway Authority therefore has no objection to the proposal subject to conditions and informatives.
- 5.3 The Highway Authority recommended a condition be imposed requiring the submission of a Construction Traffic Management Plan prior to commencement. Given the only physical works would be an internal mezzanine floor and minor elevational alterations, it is not considered such a condition is necessary or reasonable to make the proposal acceptable. The site is not being redeveloped and the existing external footprint of the building would remain unchanged.

SBC Environmental Health

- 5.3 I can confirm that I have no comments or representations to make on behalf of Environmental Health.

HCC Lead Local Flood Authority

- 5.4 The LLFA have identified that the site is adjacent to a low-risk surface water flow path/ponding area (land with a chance of flooding of between 0.1% and 1% each year), is located in Flood Zone 2 and is adjacent to Flood Zone 3. Therefore, appropriate flood resistance and resilience measures should be considered within the development. This application is not increasing the existing external footprint of the site, only altering the internal area of the building through the incorporation of a mezzanine level, therefore we recommend the advice below.
- 5.5 A minimum of 300mm freeboard between maximum design water level (from any source) and 150mm freeboard between the finished floor level and external ground levels is recommended. All ground levels should be sloping away from vulnerable areas such as doorways or essential infrastructure such as pumping or electrical sub stations. If any parts of the development cannot be accessed during a flood event e.g. the road adjacent to the site, the applicant should consider creating an emergency plan to ensure safe access and egress routes. Water resilient design should also be used in the buildings e.g. raised electrical sockets and air bricks.

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 This largely made minor corrections to the earlier July 2021 version and revised policy with respect to onshore windfarms. 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.

6.3 Planning Practice Guidance

The PPG contains guidance supplementing the NPPF and with which Members are fully familiar. The PPG is a material consideration to be taken into account together with the National Design Guide (2019) which has the same status as the PPG.

6.4 Adopted Local Plan (2019)

- 6.4.1 The policies set out below are relevant in the determination of this application:

Policy SP1: Presumption in favour of sustainable development;
 Policy SP2: Sustainable development in Stevenage;
 Policy SP4: A Vital Town Centre;
 Policy SP8: Good design;
 Policy SP11: Climate change, flooding and pollution;
 Policy IT4: Transport assessments and travel plans;
 Policy IT5: Parking and access;
 Policy IT6: Sustainable transport;
 Policy GD1: High quality design;
 Policy FP1: Climate change;
 Policy FP2: Flood risk in Flood Zone 1
 Policy TC12: New Comparison retail provision
 Policy TC13: Retail Impact Assessments

6.5 Supplementary Planning Documents

Parking Provision Supplementary Planning Document October 2020
 Stevenage Design Guide Supplementary Planning Document January 2023

6.6 Community Infrastructure Levy

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 floorspace of a development. This proposal would be CIL liable at £60/m².

7. APPRAISAL

- 7.1.1 The main issues for consideration in the determination of this application are its acceptability in retail policy terms, the sequential test, its impact on the vitality and viability

of the Town Centre, design and visual impact (external alterations), flood risk and drainage, climate change mitigation and highways and parking.

- 7.1.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

7.2 Retail Policy Considerations

- 7.2.1 This section of the report assesses the proposed development against the provisions of Paragraphs 87 to 91 of the NPPF, namely whether there are sequentially preferable sites that have the potential of accommodating the floorspace associated with the application. Paragraph 87 of the NPPF states that Local Planning Authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. The application is supported by a Planning and Retail Statement (PRS) which assess the proposal against the relevant retail policies.

- 7.2.2 It is important to note that Unit 7B is currently vacant, having previously been occupied for retail uses and the proposal does not therefore introduce the principle of additional town centre uses within this established retail destination. Applying the sequential approach should have regard to the need, both consumer and operator, that would be met by the development. It is not an academic exercise divorced from the commercial realities of what it is that developers and landlords are seeking to supply in response to market demand. This approach was adopted by the Planning Authority in determining the applications to facilitate the re-occupation of the previously vacant Unit 4A by TK Maxx (22/00389/FPM and 22/00385/FPM) where the retailer's relocation requirements formed an important part of the Council's considerations in the decision-making process and ultimately the grant of planning permission.

- 7.2.3 The relevance of commercial factors to the planning process and implementation of the sequential test were considered and reinforced within the findings of Scunthorpe judgement (Zurich Assurance Limited V North Lincolnshire Council), focusing the considerations of the sequential test on the real world, with corresponding commercial realities to be given due consideration:

'It is important to mark that developers, and planning authorities work in the real world'.

- 7.2.4 For the sequential test to have meaning, the sequential approach must be applied in a way that allows the identified need to be fully met. Applicants and local planning authorities are to demonstrate flexibility in terms of format and scale of the developments. The PPG advises that applicants and planning authorities should consider what contribution more central sites are able to make individually to accommodate the proposal. This should recognise that certain main town centre uses have particular market and locational requirements which mean that they may only be accommodated in specific locations. Local planning authorities need to be realistic and flexible in terms of their expectations.

- 7.2.5 The Planning and Retail Statement makes the following observations which set the context for the sequential assessment:

- The application is in response to specific occupier requirements. The proposals would facilitate the occupation of the currently vacant Unit 7B by Sports Direct/USC, and it is not therefore a speculative application;
- The existing accommodation at The Forum Shopping Centre within which Sports Direct and USC are currently located is due to be redeveloped, and it is therefore necessary for the retailer to identify appropriate alternative accommodation in order to remain within Stevenage;

- Currently, the vacant unit is in Class E(a) use, which is controlled by a s106 obligation, restricting the range of goods that can be sold from the unit. The s106 obligation precludes the sale of foodstuffs (for consumption off the premises) footwear and clothing (excluding sports related goods which are permitted) and fashion goods;
- The proposed widening of the use for sale of non-sports clothing and footwear relates only to 20% (446m²) of the unit's total floorspace, with the sale of fashion clothing and footwear only proposed from the USC concession within the Sports Direct store. Sports Direct are able to operate within the unit without the need to widen the existing goods restriction; and
- The application site forms part of an existing retail park, located within an established retail and leisure destination in Stevenage, serving the wider needs of the local catchment area.

7.2.6 The Planning Practice Guide makes clear that the Government does not seek the arbitrary subdivision of proposals splitting operations into separate sites beyond the flexibility of a business model. Therefore, individual retailers should not be required to separate the sale of categories of products onto separate sites. The approach to disaggregation and suitability of sequential sites has been clarified in a number of Judgements and Secretary of State decisions.

7.2.7 The Dundee judgement (Tesco Stores Limited v Dundee City Council (Scotland), 21 March 2012), establishes the key principles of site 'suitability' in respect of the sequential test. It is important to note that whilst the Dundee case was a Scottish case, the Supreme Court's decision applies in England as well as Scotland. In considering alternative sites as part of the sequential test, Paragraph 20 of the Dundee judgement states that key considerations in assessing the suitability of a sequential site are:

'...whether an alternative site is suitable for the proposed development, not whether the proposed development can be altered or reduced so that it can be made to fit an alternative site'.

7.2.8 These findings are reinforced by the findings of Scunthorpe judgement (Zurich Assurance Limited V North Lincolnshire Council) focusing the considerations of the sequential test on the real world, with corresponding commercial realities to be given due consideration:

'It is important to mark that developers, and planning authorities work in the real world'.

7.2.9 The implementation of the sequential test was further considered by the Secretary of State for a retail proposal at Tollgate (APP/A1530/W/16/3147039). Paragraph 12.3.20 states:

'The sequential test therefore means that whilst a sequentially preferable site need not be capable of accommodating exactly the same as what is proposed, it must be capable of accommodating development which is closely similar to what is proposed.'

7.2.10 In the Scotch Corner Secretary of State Decision in December 2016 (APP/V2723/V/15/3132873 & APP/V2723/V/16/3143678) the Inspector found at paragraph 11.7:

'In carrying out the sequential test it is acknowledged that whilst Framework paragraph 24 indicates that applicants should demonstrate flexibility on issues such as format and scale, it does not require the applicant to disaggregate the scheme. The sequential test seeks to see if the application, i.e. what is proposed, can be accommodated on a town centre site or on sequentially preferable sites...'

7.2.11 In considering the proposals for a Next store in Sheffield, the Inspector stated at paragraph 35:

'What needs to be established is whether an alternative site is suitable for the development proposed, not whether the proposed development can be altered or reduced so that it can be made to fit an alternative site'.

7.2.12 It is therefore clear that there is no requirement to disaggregate a proposal into its smaller constituent parts when implementing the sequential test, and when considering sequential sites, these need to be suitable for the development proposed as a whole, and not an alternative hypothetical smaller version of the proposal.

7.2.13 The proposed development is based on the retailer's clear understanding of the form and size of unit that is required for the proposed Sport Direct flagship store, which requires the following key business model criteria:

- A minimum of circa 2,000m² floorspace across ground and mezzanine floors;
- The proposal reflects the retailer's plans for Sports Direct to deliver 10 new flagship Sports Direct stores across the UK, which include the provision of a small concession of 20% floorspace (up to 446m²) to be used for fashion clothing and footwear as part of the retailer's USC fascia.
- Immediately adjoining customer car parking given the bulky product ranges that are sold directly to customers from within the unit;
- Appropriate and safe servicing arrangements, to allow the unit to be serviced with no conflict with pedestrians or customer vehicles; and
- Commercially viable location in an accessible location that would attract a customer base and allow for linked trips.

7.2.14 The Planning and Retail Statement submitted in support of the application advises any compromises to the retailer's business model would result in the occupier not being able to fully implement its preferred retail model and would result in the retailer not proceeding with the site.

7.3 The Sequential Test

7.3.1 Given that Unit 7B is located in an out-of-centre location, the applicant has undertaken a sequential test in line with national and local policy. To demonstrate flexibility for the purposes of undertaking the sequential test, the applicant has searched for units between 2,008m² and 2,454m² floorspace. This demonstrates a flexible interpretation of the sequential test, with sites 10% smaller and larger than the subject unit considered as part of the assessment.

7.3.2 As the proposals relate to an existing retail unit and the operator has an immediate requirement to relocate to ensure continuity of employment and representation given the forthcoming redevelopment of The Forum in the town centre, the applicant advises for a site to be considered genuinely available it needs to be currently vacant or be available in the immediate short term. Sites which require development or redevelopment cannot be considered genuinely available in the context of the application proposals. Officers agree with this approach.

Stevenage Town Centre – Existing Opportunities

7.3.3 Stevenage Town Centre is located approximately 1km to the north of the application site and is the dominant retail centre within the Borough. Located directly north of the Town Centre is Stevenage Old Town, also known as the High Street Shopping Area (HSSA). The applicant advises Stevenage Town Centre and Stevenage Old Town represent the appropriate focus for the sequential test given their role and function within the local retail hierarchy and is consistent with how the Council has considered other recently approved planning applications at Roaring Meg Retail Park. Officers consider this acceptable.

7.3.4 Stevenage Town Centre and Stevenage Old Town were surveyed by the applicant's agent in March 2023 to identify vacant units which could be considered sequentially preferable to the application site. The vast majority of vacant units identified in Stevenage Town Centre were very small; with the majority of vacant units below 300m², and only 3 vacant units/sites larger than 1,000m². An overview of the relevant sequential sites is set out below.

Former BHS, The Forum

7.3.5 The vacant unit extends to a total of circa 7,000m² across three floors, with circa 2,340m² floorspace on each floor. The BHS store closed on 20th August 2016 and has remained vacant since that time. The unit is subject of a recent planning permission for its redevelopment for predominantly residential uses (application ref. 19/00647/FPM), with a ground floor retail unit. Planning and Development Committee resolved to grant permission for the redevelopment of the site in November 2020, and permission was issued in August 2021 following the signing of the s106 Legal Agreement. According to Barbour ABI, the scheme is anticipated for completion in 2025.

7.3.6 The retail element within the approved redevelopment, at 520m², is significantly below the identified minimum floorspace threshold of 2,008m² and would not therefore be able to accommodate the development proposals. The agent was not aware of the unit being actively marketed, and the unit is not therefore considered to be genuinely available. The unit benefits from a planning permission for a comprehensive redevelopment for residential led uses, and it is therefore concluded by the applicant that the unit is not a suitable or genuinely available site for the proposed development and dismisses it as a sequentially preferable site on this basis.

7.3.7 In the absence of any evidence to demonstrate otherwise, it is accepted that this site is not available and can therefore be discounted from the sequential test.

Former Office Outlet - Unit 11, The Forum, Fairlands Way

7.3.8 Unit 11 Fairlands Way extends to 1,625m² at ground floor and a small amenity mezzanine block of 37m², with a combined total floorspace of 1,662m². The store closed in 2019, and the unit has remained vacant since. The agent has not been able to locate any recent evidence of the unit being actively marketed for retail uses. An application for the redevelopment of the site was submitted to the Council in September 2021 (21/01002/FPM) and granted in October 2022. The approved scheme comprises the demolition of the existing store and construction of a part 9, part 14 storey, part 15 storey building comprising 226 build to rent dwellings and 161m² of Use Class E and Use Class F floorspace.

7.3.9 Given the aspirations to redevelop the site for Build to Rent dwellings, with planning permission granted in October 2022, the applicant argues the site cannot be genuinely available for the proposed retail uses. Notwithstanding that the site benefits from planning permission for predominantly residential uses and is not therefore genuinely available, the applicant also states the site provides limited and constrained car parking areas located around the perimeter as well as the rear, with relatively limited car parking provided at the front of the retail unit. It is considered the unit does not therefore provide convenient customer parking that would reflect modern occupier requirements.

7.3.10 The site is located in a stand-alone and isolated position in retail terms. The isolated location of the site does not provide a sufficient critical mass of retail floorspace to attract sufficient numbers of shoppers to be commercially viable to a prospective occupier. Taking account of the fact that there has been a recent planning permission for alternative uses, this indicates that the site is not available. It is therefore agreed that this site can be discounted on the grounds of availability.

Poundland Store 77-83 Queensway

- 7.3.11 The Unit extends to circa 5,000m² over 3 floors, split across ground (2,177m²), first (2,212m²) and second floors (923m²) and is situated within Stevenage Town Centre. It was formerly a Littlewoods department store and is currently occupied by Poundland. The PRS advises the latest marketing brochure states that bid deadline for offers on the property is 6 June 2019. LoopNet (formerly Realla), operated by Costar, does not identify the unit as currently available either for rent / lease or for sale. Therefore, the PRS argues the unit cannot be considered to be genuinely available for the purposes of the sequential assessment in this instance.
- 7.3.12 Floorspace within 77-83 Queensway, with a total area of circa 5,000m², is significantly above the maximum flexible threshold of 2,454m². The total floorspace of the ground and first floors within the building extends to circa 4,400m² – some 80% larger than the proposed unit. If Sports Direct were to occupy only one floor within the unit, the building would need to be reconfigured or areas “moth balled” to meet the operator’s requirements or provide separate commercial accommodation for other occupiers on other floors. This would require significant financial investment that is not commercially viable.
- 7.3.13 In addition, it is understood that the existing building was constructed using materials which include asbestos. The proposed operator would not occupy a building known to have asbestos. Therefore, a full asbestos survey and controlled removal would need to be undertaken impacting on the timings given the short term need for the prospective tenant to relocate from existing accommodation at The Forum, with the lease due to expire in February 2024.
- 7.3.14 In summary, 77-83 Queensway is occupied by Poundland and it is understood this arrangement is ongoing. The applicant is not aware of the site currently being marketed on any online property portals and cannot therefore be considered genuinely available in the immediate term. In the event the unit were to become available, it is too big for the proposed operator and would require significant physical alteration, including the removal of all asbestos material used in its construction, and investment into the building by the existing owner to refurbish the balance of the unit to be occupied for commercial uses. This process would be commercially unviable and the programme for its delivery would extend materially beyond the proposed operator’s timeline for when it needs to open, given the timescale constraints associated with the relocation of Sports Direct and USC from existing accommodation in The Forum, with the exiting lease ending February 2024. It is therefore agreed that this site can be discounted on the grounds of availability and suitability.

The Forum Centre Redevelopment

- 7.3.15 The proposals at The Forum Shopping Centre comprise the following:

Demolition of existing retail units (use Class E) and erection of proposed mixed-use development comprising biopharma manufacturing laboratories and workspace facilities (use class E(g)) together with flexible active ground floor uses including cafes, retail, collaboration spaces (use class E), Cinema (Sui Generis) and drinking establishments (Sui Generis), new multi-storey public car park, service road, public realm improvement works and ancillary works.

- 7.3.16 The proposed flexible retail, café and collaboration uses extend to a total of 4,041m² across a number of buildings within the development, with 2,661m² retail floorspace proposed at the “Collaboration Building” spread across two blocks at ground (1,433m²) and mezzanine (1,228m²) level, and 1,012m² at the “Grad Lab / Office Building”, of which 566m² is at ground floor and 446m² at mezzanine floorspace.

- 7.3.17 The PRS advises the floorspace within the “Grad Lab/Office Building” is below the identified minimum floorspace threshold and cannot accommodate the development proposals. The floorspace within the Collaboration Building would be split across two blocks. The applicant has not been able to identify how the commercial accommodation is split between these two blocks and have therefore assumed that the floorspace would be split evenly between the two blocks, i.e. each block providing circa 715m² at ground floor, and circa 615m² at mezzanine level, with a combined total floorspace of circa 1,330m² within each block. The application proposals at The Forum also include a cinema and associated drinking establishment uses as part of the overall flexible commercial floorspace of 2,661m². The proposed commercial floorspace is anticipated to provide a varied mix of town centre uses, rather than purely large format retailing.
- 7.3.18 The PRS advises the flexible commercial floorspace within both the Collaboration Building (split across two blocks) and the Grad Lab / Office Building is therefore below the identified minimum floorspace threshold of 2,008m². Notwithstanding the above, the applicant suggests the occupation of the flexible commercial / retail floorspace by one retailer could impact negatively on the Council’s aspirations of delivering a mixed-use development in this location, including retail, cinema and flexible commercial and retail uses.
- 7.3.19 In addition, there are no clear timescales for the anticipated delivery of The Forum redevelopment proposals, despite receiving planning permission under ref. 22/00923/FPM in June 2023. Sports Direct’s current lease will expiry in February 2024 and alternative accommodation to facilitate a relocation is therefore required in the immediate to short term. It cannot therefore be concluded that the proposed floorspace at The Forum redevelopment is genuinely available within the timescales that the retailer is operating within. It is therefore concluded that the floorspace within The Forum redevelopment scheme is not genuinely suitable or available in the context of the application proposals. It is agreed that this site can be discounted on the grounds of availability.
- 7.3.20 The sequential test assessment has concluded that there are no suitable or available sequentially preferable sites which could accommodate the development proposal. In the absence of any suitable town centre sites, the application site is considered to be an appropriate location for the use proposed by this application. As such, it is agreed that the sequential test has been passed.

7.4 Town Centre Impact Considerations

- 7.4.1 Policy TC13 of the Local Plan requires an assessment of impact to be undertaken where a town centre use over 300m² is proposed outside of the designated Town Centre. It is however acknowledged that the proposed development relates to an existing unit in retail use within an established retail destination. The principle of retail use, albeit with a restrictive goods obligation, has therefore been accepted within this location.
- 7.4.2 Given the particular circumstances of the proposal, the PRS makes the following observations:
- The implementation of the impact test will be undertaken on the accepted principle of like affects like, where the proposal would have the largest impact on similar type of retail provision, in accordance with paragraph 15 of the PPG (Reference ID: 2b-015/20190722);
 - Sports Direct’s products range can be sold from the unit under the terms of the existing planning permission and the impact assessment therefore considers the uplift in the proposed mezzanine floorspace and the USC fashion and clothing;
 - The ancillary USC element includes the sale of goods which are not currently permitted from the unit, as the current legal agreement precludes the sales of foodstuffs, clothing and footwear (excluding sports related items).

Proposal Turnover

- 7.4.3 In order to understand the potential impact of the proposed development, it is necessary to identify the likely turnover that the proposal would generate. Mintel Retail Rankings provides a sales density of £3,590 per square metre (at 2021 prices) for Sports Direct stores. Sports Direct can occupy the existing vacant unit without the need for planning permission (save for any external alterations to the shopfront) and therefore applying this sales density to the additional proposed mezzanine floorspace of 1,115m² results in an anticipated increase in turnover of circa £4.00m at 2021. It is an accepted principle that mezzanines would typically have a reduced turnover than ground floor retail floorspace.
- 7.4.4 Whilst a 50% reduction to the turnover of mezzanine floorspace is typically applied, for robustness, the applicant has not sought to undertake this reduction in anticipated turnover in this instance. The turnover is anticipated to decrease marginally to £3.93m in 2023 due an anticipated reduction in comparison goods sales density of -0.4% in 2021-2022, and -1.6% in 2022-2023, as identified within the latest Experian Retail Planner Briefing Note 20. It is important to note that the unit can be occupied by a range of non-bulky comparison goods retailers, without the need for planning permission, which could also include up to 200m² mezzanine floorspace, with associated turnover and result in comparable or additional draw from existing retail provision.

Turnover of Existing Town Centre Provision

- 7.4.5 The Stevenage Town Centre GOAD Report (December 2021), the most up to date report available for the centre, identifies a total of circa 15,087m² convenience and 26,626m² comparison floorspace within the Town Centre. This results in an estimated turnover of £133.1m for comparison floorspace and circa £150.9m for the convenience floorspace, with a total estimated turnover of the Town Centre of circa £284m at 2021. Adopting the sales density growth figures set out within Experian Retail Planner Briefing Note 20 (ERPBN 20), a -6.7% (2022) and -2.4% (2023) reduction in convenience retail sales densities and -0.4% (2022) and -1.6% (2023) decrease in comparison retail sales densities 2021-2022, equates to a combined total town centre goods turnover of £267.86m in 2023.
- 7.4.6 This turnover does not include the significant redevelopment proposals that are being brought forward within the Town Centre, which will contribute positively to the overall performance and function of Stevenage Town Centre. Sports Direct have advised that their existing Sports Direct and USC stores in The Forum will close on termination of their lease and the site will be redeveloped as part of the wider proposals at The Forum. This will result in a reduction in comparison goods turnover within Stevenage Town Centre of circa £3.19mil in 2021 (decreasing to £3.13mil in 2023), assuming that the store operates in line with the company average. This turnover has therefore been removed from the combined Stevenage Town Centre turnover, resulting in an anticipated annual turnover of circa £264.73mil in 2023.
- 7.4.7 The PRS advises that the closure of the existing store is not linked with the application and that the Sports Direct and USC stores will close irrespective of whether this application is approved, given the wider proposals for the redevelopment of The Forum. Assuming an unrealistic scenario whereby all the proposed development's turnover (£3.92m at 2023) is derived from Stevenage Town Centre, the PRS states this would represent an impact of just 1.48% on the total turnover of the Town Centre. It is therefore accepted that there would not be a significant adverse impact on the Town Centre in the context of the NPPF.

Public and Private Town Centre Investment

- 7.4.8 Given the scale and nature of the existing, committed and planned public and private investment projects which are strategic in nature, it is concluded that the application proposal would not give rise to a significant adverse impact on existing, committed and

planned public and private investment in Stevenage Town Centre, or indeed in any other centre in the catchment area of the proposals. As such, it is considered that the proposal would not have a significant adverse impact on one or more of the considerations of paragraph 90 of the NPPF. The retail impact analysis therefore does not give rise to a reason to refuse the application.

7.5 Highways and Parking

- 7.5.1 The application proposal seeks planning permission for a mezzanine floor. The proposals would result in an increase in gross floor space of 1,115m², with the total combined floor space within the unit increasing from 1,116m² to 2,231m². The Council's Parking Provision and Sustainable Transport SPD (2020) requires 1 space per 20m² for non-food retail warehouses exceeding 1,000m². An uplift of 1,115m² would generate a requirement for 56 additional parking spaces or 46 taking into account the 200m² allowance.
- 7.5.2 There is currently parking for circa 1,016 cars of which 393 are in the northern car park and 504 in the southern car park, with parking for 62 cars in the service yard and 57 adjacent to Harvester. It is understood that the car park is busiest over the weekend with lower occupancy levels during weekdays. No changes are proposed to the layout or number of spaces associated with this application. The Transport Statement submitted in support of the application states the proposal would result in an increased demand for parking which is estimated at 24 spaces on the Saturday afternoon based on surveys in the TRICS (Trip Rate Information Computer System) database.
- 7.5.3 Whereas there could be an increased demand for car parking at the weekend, the applicant and occupiers are satisfied that the existing number of parking spaces would be sufficient under normal trading conditions with opportunities to travel by other modes. The Transport Statement confirms a Travel Plan would be implemented to encourage staff to travel to and from the store by modes other than the private car.
- 7.5.4 Deliveries and refuse collection would take place as per the existing arrangements from the service yard to the rear of Unit 7B. Unit 7B would receive on average 1 delivery per day which would not impact on the operation of the local or wider highway network. Deliveries would typically be planned to take into account existing stores in surrounding towns, and where possible link the delivery with another store thereby reducing costs and delivery mileage.
- 7.5.5 With regards to cycle parking there is parking for a minimum of 99 bicycles including 67 in public areas with 7 spaces adjacent to Unit 11B, and parking for a further 32 bicycles within the service yards of the retail park. The Parking Provision SPD (2020) would require the provision of 4 long term and 3 short term cycle spaces for the proposed increase in floor space from the mezzanine floor taking into account the 200m² allowance. No additional cycle parking is proposed; however, the applicant has argued the large amount of existing provision on site is not widely used and therefore there is capacity to accommodate any increase in demand as a result of the increase in floor space. Given the retail park primarily sells bulky comparison goods (with the exception of M&S and TK Maxx), it is considered most customers would travel to the site by car and the existing cycle parking offer would be sufficient in this instance.
- 7.5.6 In terms of accessibility, vehicular, pedestrian and cycle access to the retail park forms off London Road and the A606 Monkswood Way. The A606 provides a primary A road, connecting the site and wider Stevenage to the A1(M). Stevenage is also easily accessible from further afield by train, bus and bike. There are two bus stops located along London Road, approximately 150 metres north of the unit. Roaring Meg Retail Park Stop A and B provide bus services: 44, 45, 301, 378 and 379. A network of cycle lanes serves the site and the wider area, with cycle access via a dedicated cycle lane is provided from London Road and Monkswood Way.

7.5.7 In terms of trip generation and parking, following clarification with the transport consultant, the Highway Authority agrees that the existing spaces can accommodate the extra demand. It is further agreed the increases in demand would not result in a material change in traffic conditions in the local area. Given that Stevenage Borough Council has an adopted CIL, contributions to provide infrastructure to support the development more generally would be sought via this mechanism. These may be linked to the North and Central Hertfordshire Growth and Transport Plan 2019 (Section 4) PK1 & PK2. The Highway Authority concludes that this level of development is unlikely to generate any extra movements which would ultimately lead to demonstrable harm to the highway network in terms of free flow and capacity, therefore; the Highway Authority would not wish to restrict the grant of planning permission.

7.6 Flood Risk and Drainage

7.6.1 The Lead Local Flood Authority have identified that the site is adjacent to a low-risk surface water flow path/ponding area (land with a chance of flooding of between 0.1% and 1% each year), is located in Flood Zone 2 and is adjacent to Flood Zone 3. The application proposes external alterations, an internal mezzanine floor and the partial widening (20%) of the range of goods sold from the Unit only, with no increase in the building footprint proposed. As such, the proposal is not considered a vulnerable use and the development would not increase the likelihood of flooding at the site, or elsewhere.

7.7 External Alterations

7.7.1 This application proposal also includes external alterations to the front elevation to facilitate the occupation of the unit by the proposed operator. In summary, the proposed changes are minor and would involve amendments to the elevations including recladding, new glazing and entrance doors. There would also be new signage zones, subject to a future advertisement consent application. No changes are proposed to the existing metal cladding, composite cladding, glazing, frame and spandrels. It is considered the proposed elevational alterations are minor and would not have an adverse visual impact on the application unit or the wider retail park. This element of the scheme is therefore considered acceptable.

7.8 Climate Change Mitigation

7.8.1 Policy FP1 'Climate Change' states planning permission will be granted for developments that can incorporate measures to address adaptation to climate change. New development, including building extensions, refurbishments and conversions will be encouraged to include measures such as:

- Ways to ensure development is resilient to likely future variations in temperature;
- Reducing water consumption to no more than 110 litres per person per day including external water use;
- Improving energy performance of buildings;
- Reducing energy consumption through efficiency measures;
- Using or producing renewable or low carbon energy from a local source; and
- Contributing towards reducing flood risk through the use of SuDS or other appropriate measures.

7.8.2 The existing building fabric would be retained and repurposed for a new use, which is a highly efficient way of reducing energy use and carbon when compared with demolition and new build development. The limited alterations which would be carried out to a Controlled Fitting (as defined by Building Regulation Approved Document L2) relate to the extension of the existing shop front. The building is currently in a shell condition and would remain so following the shopfront alteration works and no Controlled Services (as defined by

Approved Document L2) are being altered. There are limited opportunities for energy or water saving measures in the shell works as the existing building fabric is being retained and no plant or equipment would be installed. The shell works would be undertaken in full accordance with the Building Regulations and high efficiency double glazing would be used in the new shopfront with specialist coatings to mitigate solar gain. The proposed operator would need to complete their fit out in accordance with the current Building Regulations; this is likely to include the use of high efficiency Controlled Services such as LED lighting and a heat pump / AC units.

7.8.3 Given the limited nature of the external alterations and internal fit out required to facilitate the provision of the mezzanine, it is considered compliance with Building Regulations in relation to climate change mitigation would be acceptable in this regard.

7.9 Other Matters

Equality and Human Rights Considerations

7.9.1 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. It is not considered that the decision would result in a violation of any person's rights under the Convention.

7.9.2 When considering proposals placed before the Council as Local Planning Authority, it is important that it is fully aware of and has themselves rigorously considered the equalities implications of the decision that they are taking. Therefore, rigorous consideration has been undertaken by the Council as the Local Planning Authority to ensure that proper appreciation of any potential impact of the proposed development on the Council's obligations under the Public Sector Equalities Duty. The approach adopted in response to inclusive design includes level access. The building complies with current approved document M under the Building Regulations.

7.9.4 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.

7.9.5 It is considered that the decision has had regard to this duty. The development would not conflict with either Stevenage Borough Council's Equality Policy or the commitments set out in our Equality Objectives, and would support the Council in meeting its statutory equality responsibilities.

Community Infrastructure Levy

7.9.6 The Council adopted CIL on 1 April 2020 and the CIL Charging Schedule specifies a payment for new floorspace in line with the following rates (plus appropriate indexation):

| Development Type | CIL Rate (£ per square meter) | |
|------------------|--|-------------------------|
| | Zone 1: Stevenage Central, Stevenage West Urban Extension and North of Stevenage Extension | Zone 2: Everywhere else |
| Residential | | |

| | | |
|-----------------------|---------------------|---------------------|
| Market housing | £40/m ² | £100/m ² |
| Sheltered housing | £100/m ² | |
| Extra care housing | £40/m ² | |
| Retail development | £60/m ² | |
| All other development | £0/m ² | |

- 7.9.7 CIL is a non-negotiable charge. The exact charge will be determined by the Council's CIL officer after an application has been granted in accordance with the CIL Charging Schedule and the Community Infrastructure Levy Regulations 2010 (as amended). Opportunities for relief or exemption from the CIL charge exist and will be taken into account in the calculation of the final CIL charge.
- 7.9.8 CIL replaces the need for S106 agreements to specify financial and/or land contributions for non-site-specific infrastructure projects. This allows infrastructure to be planned on a borough-wide scale rather than on a site-by-site basis as mitigation against the impacts of individual proposals. A CIL Form 1: Additional Information has been submitted along with the application.

8. CONCLUSIONS

- 8.1 This application is seeking planning permission and a variation to the legal agreement to allow Sports Direct and USC to occupy Unit 7B, Roaring Meg Retail Park. The proposals comprise external alterations, insertion of mezzanine floorspace and a widening of the range of goods to be sold from part of Unit 7B to allow the ancillary sale of fashion clothing and footwear up to 20% of the unit's floorspace by a USC concession.
- 8.2 Sports Direct and USC trade from two units in the Forum Shopping Centre, which has recently been granted planning permission for its redevelopment for predominantly life science and retail use. Unit 7B presents the opportunity for Sports Direct to deliver a flagship store, one of 10 that Sports Direct are proposing to deliver nationally, which includes the retailer's fashion and clothing brand USC concession.
- 8.3 The Planning and Retail Statement submitted in support of the application, alongside this report has considered the acceptability of the proposal against the relevant policies contained in the NPPF and the Local Plan (2019), and concludes the following:
- The application site is an established out-of-town retail destination in Stevenage;
 - The proposed development would deliver significant investment into the local economy by way of retaining existing Sports Direct and USC jobs and delivering new employment opportunities arising from increased floorspace that the retailer would occupy, with corresponding increase in employment numbers, as well as investment into the local economy by way of the repurposing and enhancement works proposed;
 - Notwithstanding the out-of-centre location of the site, the sequential assessment concludes that there are no sequentially preferable sites within Stevenage Town Centre capable of accommodating the development, and the application site is therefore the most sequentially preferable location;
 - The proposal would not have any adverse impacts on the performance and vitality and viability of Stevenage Town Centre;

- The development presents sustainable development, resulting in the enhancement and occupation of an existing vacant retail unit in an accessible location; and
- The proposed development is acceptable in all other respects.

8.4 Given the above, the proposed development accords with the Local Plan (2019), the Council's Supplementary Planning Documents, the NPPF (2021) and PPG. As the proposed development accords with the development plan, planning permission should be granted in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004.

9. RECOMMENDATIONS

9.1 That the Committee agree the modification of Obligation 5 of the Third Schedule of Section 106 Agreement dated 4 December 2014 as follows:

Units 2, 6 and 7 Roaring Meg Retail Park aforesaid shall not be used for the sale of any foodstuffs for consumption off the premises, clothes and footwear (other than specifically for the playing of sport) or other fashion goods retailing pursuant to the Lawful Development Certificates); other than for the sale of clothing and footwear from up to 446m² of the sales area within Unit 7B, shown edged red on the enclosed Site Location Plan.

9.2 To delegate authority to the Assistant Director of Planning and Regulation in conjunction with an appointed Solicitor on behalf of the Council to agree the precise wording of the variation to the original S106 agreement.

9.3 That planning permission be GRANTED subject to the following conditions, with any amendments to the conditions listed in this report be delegated to the Assistant Director of Planning and Regulation:

1 The development hereby permitted shall be carried out in accordance with the following approved plans:
2264-U7B-L01; 2264-U7B-X01; 2264-U7B-P01-A; 2264-U7B-P02-A; 2264-U7B-P03-A;
2264-U7B-X02-A

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 range of goods to be sold from the development shall be confined to retail warehousing of comparison goods to exclude expressly the sale of all foodstuffs for consumption off the premises, clothes and footwear (other than specifically for the playing of sport), or other fashion goods. Notwithstanding, Unit 7B hereby permitted may also be used for the sale of clothing and footwear from up to a maximum sales area of 446m² (net). The extended range of goods may only be sold on the basis the floorspace is operated as a single unit.

REASON:- The impact of the development has been modelled on the basis the sale of clothing and footwear would be from Unit 7B only.

4 Unit 7B hereby permitted, including any mezzanine floor, shall only operate as one unit with internal connections maintained, as indicated on drawing no. 2264-U7B-P01-A Proposed Ground Floor Plan.

REASON:- The impact of the development has been modelled on the basis of Unit 7B operating as one unit.

- 5 The mezzanine floorspace hereby permitted shall at no time be utilised as an independent retail unit.
REASON:- The impact of the development has been modelled on the basis of Unit 7B operating as one unit.

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

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

INFORMATIVE

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 Building Regulations

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

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

Hertfordshire Building Control can also be contacted by post at Hertfordshire Building Control Ltd, 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).

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 adopted October 2020, Stevenage Design Guide adopted January 2023, The Impact of Development on Biodiversity adopted March 2021, Stevenage Borough Council Developer Contributions adopted March 2021.
3. Stevenage Borough Local Plan 2011 – 2031 adopted 2019.
4. Hertfordshire County Council's Local Transport Plan 4 adopted May 2019.
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 September 2023 and Planning Practice Guidance.