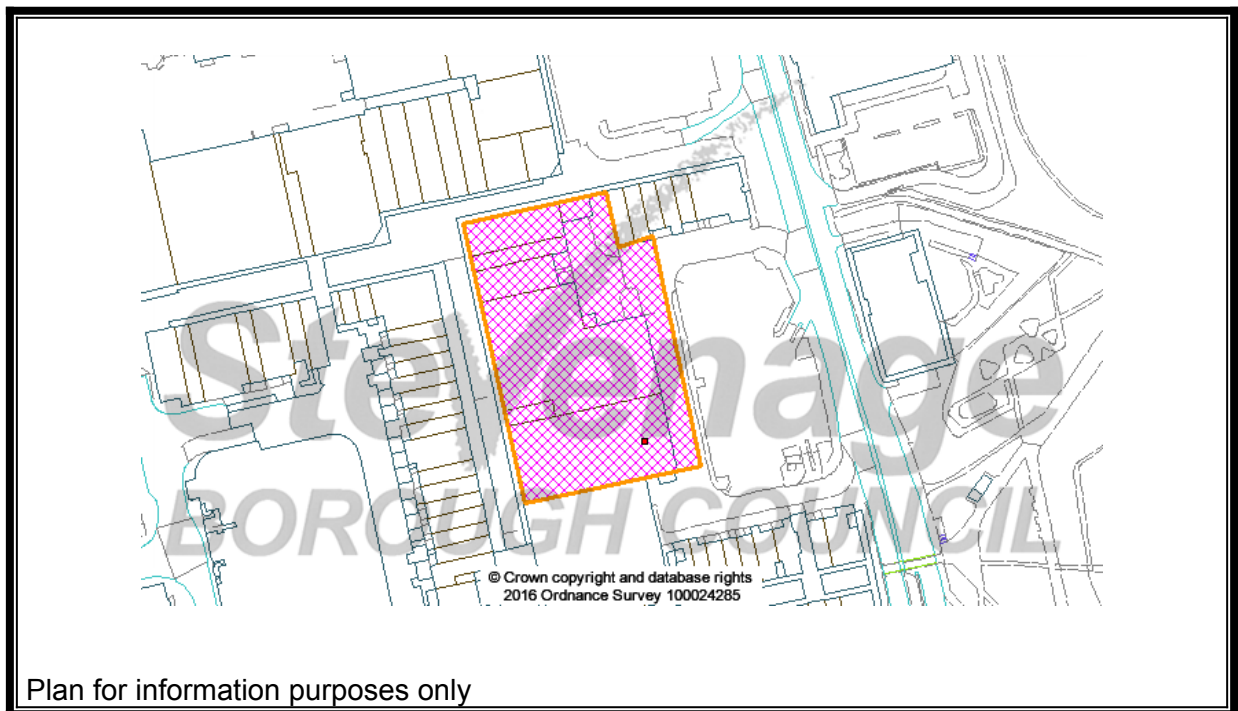


Meeting:	Planning and Development Committee	Agenda Item:
Date:	16 July 2019	
Author:	James Chettleburgh	01438 242266
Lead Officer:	Zayd Al-Jawad	01438 242257
Contact Officer:	James Chettleburgh	01438 242266

Application No:	19/00284/FPM
Location:	85 to 103 Queensway, Stevenage.
Proposal:	Change of use of 24-26 The Forum from A1 (Retail) to either A1 (retail), A2 (Financial and professional services), A3 (Restaurants and Cafes) or B1 (Business), conversion of part of 85 Queensway ground floor from A1 (Retail) to either A1, A2, A3 or A4 (Drinking Establishment) and change of use of ground floor of 87 Queensway and ground and first floor 91 Queensway from A1 (Retail) to either A1, A2 or A3.
Drawing Nos.:	P1.1 (received 04.07.2019); P1.2 (received 04.07.2019); P1.3 (received 04.07.2019); P2.1 (received 04.07.2019); P2.2 (received 04.07.2019).
Applicant:	Reef Estates
Date Valid:	13 May 2019
Recommendation:	GRANT PLANNING PERMISSION.



1. SITE DESCRIPTION

- 1.1 The application site is located at the northern end of Queensway which falls within Stevenage Town Centre. The site comprises numbers 85 (The former M&S store) to 103 (the former Poundland) Queensway and is part three-storey, part four storeys in height with a shopping parade at ground floor level with offices and ancillary retail floorspace located above. However, the building drops down to single-storey where it turns the corner into The Forum with this part of the building which was previous occupied by “Kaprys Polish Delicatessen”. The building itself across all of the levels is flat roofed. The Queensway elevation is predominantly constructed from concrete panels with a textured pebble dash finish, crittall windows and green tiles with a timber canopy overhanging the ground floor shopping parade. The shopping parade itself generally comprises of full height glazed shop frontages with low level stall risers and fascia signage. Building works, in line with planning permission 18/00268/FPM have now commenced on-site where the old shop frontage to the former M&S store has now been removed along with general soft stripping of the building.
- 1.2 The Marshgate elevation (rear) of the building is constructed from either grey engineering or red bricks with metal windows. At ground floor level there are single-storey projections with flat roofs comprising of plant on their respective roof areas and metal shutters and doors which form part of the service area to the building. There are also external metal staircases and an electricity sub-station. On the roof area of the former M&S building there are areas of plant and equipment located within brick enclosures.
- 1.3 To the east of the application site (rear) is the Marshgate Car Park and service road and beyond this is St George’s Way, Bowes Lyon and Town Centre Gardens. To the north of the development site is “The Forum” which is a modern two ½ storey building comprising of retail units and to the north-east is a modern, brick built, two-storey building comprising a tanning salon, hot food takeaway, a mattress store and the Job Centre. To the south/south east of the application site is Park Place which has undergone extensions along with external modernisation works in order to create a new residential development with ground floor retail units. To the west of the application (the front) is the main Queensway pedestrianised area of the town centre beyond which is the other part of the shopping parade with retail premises at ground floor level with ancillary retail floorspace above. To the front of the building is a metal framed, painted white, glazed canopy which over-sails the public footpath.

2. RELEVANT PLANNING HISTORY

- 2.1 There have been numerous permissions granted in the past for advertisements at the premises as well as alterations to shop fronts.
- 2.2 Planning application 18/00279/FPM sought permission for the demolition of existing buildings and the provision of undercroft car parking, retention of existing office use (Use Class B1) on upper floors, change of use of existing retail units (Use Class A1) to a mixed use development of Use Classes A1 (Shops), A2 (Professional & Financial Services), A3 (Restaurants & Cafes), A4 (Drinking Establishments) and D2 (Gym) with associated enhancements to shop frontages, replacement canopies, public realm improvements, associated car parking and highway works. This application was withdrawn in January 2019.
- 2.3 Planning application 18/00286/FPM sought planning permission for the partial demolition of existing buildings to facilitate erection of new residential building comprising 39no. studio, 54no. one bed and 1no. two bed flats with under-croft car parking; retention of existing office use (Use Class B1) on upper floors; change of use of existing retail units (Use Class A1) to a mixed use development of Use Classes A1 (Shops), A2 (Professional & Financial Services), A3 (Restaurants & Cafes), A4 (Drinking Establishments) and D2 (Gym) with

associated enhancements to shop frontages; replacement canopies; public realm improvements and associated car parking and highway works. This application was granted planning permission in December 2018.

- 2.4 Prior approval application 18/00386/CPA seeks approval for the change of use of the second floor from use Class B1(a) (offices) to use Class C3 (residential) to provide 11 flats. Prior approval was granted in August 2018.
- 2.5 Planning application 18/00390/FP seeks planning permission for the change of use of the second floor from retail (Use Class A1) to for 8 residential flats (7 x studio flats and 1 x 1 bed) including upgrade and refurbishment to stair and access to residential flats, a new lift and formation of bin and cycle store areas at ground floor. This application was granted in September 2018.
- 2.6 Prior approval application 18/00393/CPA seeks prior approval for the change of use from Use Class A1 (Shop) and Class A2 (Financial & Professional) to 2 no. dwelling units (Use Class C3). This application is pending consideration. Prior approval was granted in August 2018.
- 2.7 Planning application 18/00508/FP sought permission for a change of use of part of the first floor from retail (Use Class A1) to Offices (Use Class B1(a)) and external improvement works. This application was granted planning permission in October 2018.
- 2.8 Advertisement Consent application 18/00648/AD sought consent for the installation of 2no. internally illuminated and 5no. non illuminated fascia signs. This application was granted in January 2019.
- 2.9 Planning application 18/00735/FP sought planning permission for the change of use of part of the second floor from Retail (Use Class A1) and Financial and Professional Services (Use Class A2) to offices (Use Class B1(a)) and external improvement works. This application was granted in January 2019.
- 2.10 Discharge of condition application 19/00012/COND sought to discharge condition 12 (Drainage Strategy) attached to planning permission reference 18/00268/FPM. The condition was discharged in May 2019.
- 2.11 Discharge of condition application 19/00086/COND seeks to discharge conditions 8 (construction management); 14 (noise assessment); 15 (dust control); 17 (plant machinery); and 25 (demolition plan) attached to planning permission reference number 18/00268/FPM. This application is pending consideration.
- 2.12 Discharge of condition application 19/00168/COND sought to discharge condition 18 (Site Waste Management Plan) attached to planning permission reference 18/00268/FPM. This condition was discharge in April 2019.
- 2.13 Discharge of condition application 19/00289/COND sought to discharge condition 19 (Site Investigation) attached to planning permission 18/00268/FPM. This condition was discharged in May 2019.
- 2.14 Discharge of condition application 19/00376/COND seeks to discharge condition 6 (Materials) attached to planning permission reference number 18/00390/FP. This application is pending consideration.
- 2.15 Discharge of condition application 19/00375/COND seeks to discharge condition 4 (Materials) attached to planning permission reference number 18/00508/FP. This application is pending consideration.

- 2.16 Discharge of condition application 19/00374/COND seeks to discharge condition 3 (Materials) attached to planning permission reference number 18/00268/FPM. This application is pending consideration.
- 2.17 Discharge of condition application 19/00380/COND seeks to discharge of condition 1 (Noise Levels) attached to planning permission reference number 18/00386/CPA. This application is pending consideration.
- 2.18 Discharge of condition application 19/00379/COND seeks to discharge of condition 3 (Noise Levels) attached to planning permission reference number 18/00390/FP. This application is pending consideration.

3. THE CURRENT APPLICATION

- 3.1 To give some background to the current application before the Council, under planning permission 18/00286/FPM, part of the approved scheme comprised a change of use of some of the existing retail ground floor units (Use Class A1) to a mixed use development of Use Classes A1 (Shops), A2 (Professional & Financial Services), A3 (Restaurants & Cafes), A4 (Drinking Establishments) and D2 (Gym). This was in order to allow greater flexibility to help drive up footfall along Queensway as well as improve occupancy rates of vacant premises. The overall mix of uses, which was approved by the Council in December 2018, is set out in the table below.

Table 1: Approved retail mix for 85 to 103 Queensway.

Unit Name	Use Class	Total Gross Internal Area (GIA) (Sq.m)
85 A Queensway	A1	789.88
85 B Queensway	D2	1,633.21
85 C Queensway	A1 – A3	358.11
87 Queensway	A1	229.91
89 Queensway	A1 – A3	532.25
91 Queensway	A1	362.67
93 Queensway	A1	331.53
95 Queensway	A1	1,070.82
97 – 99 Queensway	A2	762.53
101 Queensway	A1	375.86
103 Queensway	A1 – A4	821.76

- 3.2 The current application before the Council seeks planning permission for additional flexibility in the use of premises along Queensway and The Forum. As such, this application seeks planning permission for the change of use of 24-26 The Forum from A1 (Retail) to either A1 (retail), A2 (Financial and professional services), A3 (Restaurants and Cafes) or B1 (Business), conversion of part of 85 Queensway ground floor from A1 (Retail) to either A1, A2, A3 or A4 (Drinking Establishment) and change of use of ground floor of 87 Queensway and ground and first floor 91 Queensway from A1 (Retail) to either A1, A2 or A3. The overall proposed retail mix for the development is set out in the table below.

Table 2: Proposed retail mix for 85 to 103 Queensway and 25 to 26 The Forum.

Unit Name	Use Class	Total Gross Internal Area (GIA) (Sq.m)
85 A Queensway	A1, A2, A3 and A4	789.88
87 Queensway	A1, A2 and A3	112.76
91 Queensway	A1, A2 and A3	215.91 (Ground Floor) 61.22 (First Floor)
24 to 26 The Forum	A1, A2, A3 and B1.	90.92

- 3.3 This application comes before the planning committee for its consideration as it is a major commercial application.

4. PUBLIC REPRESENTATIONS

- 4.1 As a major planning application, the proposal has been publicised by way of letters to adjoining premises, site notices and a press notice. At the date of drafting this report, no comments or representations have been received.

5. CONSULTATIONS

5.1 Hertfordshire County Council as Highways Authority

- 5.1.1 The County Council as the Highways Authority consider the development would not result in any highways issues. Therefore, it does not wish to restrict the grant of planning permission.

5.2 Hertfordshire County Council as Lead Local Flood Authority

- 5.2.1 The development is not increasing the hardstanding and no external works are being undertaken. In addition, the vulnerability would not be increasing. Therefore, there is no objection on flood risk ground to the application.

5.3 Council's Environmental Health Section

- 5.3.1 It is considered that subject to conditions, the proposed development would be acceptable from an environment perspective. In terms of suggested conditions, these are as follows:-

- A detailed scheme for the installation of extraction equipment to deal with odour be submitted to the Council for its approval in writing;
- A detailed scheme for the adequate provision of waste and recycling be submitted to the Council for its approval;
- A restriction on the hours of construction;
- A detailed scheme for noise nuisance mitigation measured be submitted to the Council for its approval.

6.1 Central Government Advice

- 6.1.1 In the determination of planning applications development must be in accordance with the statutory development plan unless material considerations indicate otherwise. For Stevenage the statutory development plan comprises:

- Hertfordshire Waste Development Framework 2012 and Hertfordshire Waste Site Allocations Development Plan Document (adopted 2012 and 2014);
- Hertfordshire Minerals Local Plan 2002 – 2016 (adopted 2007); and
- The Stevenage Borough Local Plan 2011-2031 (2019) (Adopted Local Plan).

6.1.2 The National Planning Policy Framework sets out that decision-takers may give weight to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies, and their degree of consistency with policies in the National Planning Policy Framework.

6.1.3 In considering the policy implications of any development proposal, the Local Planning Authority will assess each case on its individual merits.

6.2 Central Government Advice

6.2.1 A revised National Planning Policy Framework (NPPF) was published in February 2019. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. Annex 1 of the NPPF provides guidance on how existing local plan policies which have been prepared prior to the publication of the NPPF should be treated. Paragraph 213 of the NPPF applies which states that due weight should be afforded to the relevant policies in the adopted local plan according to their degree of consistency with it.

6.2.2 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is itself a material consideration. Given that the advice that the weight to be given to relevant policies in the local plan will depend on their degree of consistency with the NPPF, it will be necessary in the determination of this application to assess the consistency of the relevant local plan policies with the NPPF. The NPPF applies a presumption in favour of sustainable development.

6.2.3 In addition to the NPPF, advice in Planning Practice Guidance must also be taken into account. It states that, where the development plan is absent, silent or the relevant policies are out of date, paragraph 11 of the National Planning Policy Framework requires the application to be determined in accordance with the presumption in favour of sustainable development unless otherwise specified.

6.3 Stevenage Borough Local Plan 2011-2031 (2019)

Policy SP1: Presumption in favour of sustainable development

Policy SP2: Sustainable Development in Stevenage

Policy SP4: A Vital Town Centre

Policy SP5: Infrastructure

Policy SP6: Sustainable Transport

Policy SP8: Good Design

Policy SP11: Climate Change, Flooding and Pollution

Policy TC1: Town Centre

Policy TC7: Marshgate Major Opportunity Area

Policy TC8: Town Centre Shopping Area

Policy IT5: Parking and Access

Policy GD1: High Quality Design

Policy FP1: Climate Change

Policy FP2: Flood Risk in Flood Zone 1

6.5 Supplementary Planning Documents

Parking Provision Supplementary Planning Document January 2012.

Stevenage Design Guide Supplementary Planning Document January 2009.

7. APPRAISAL

- 7.1 The main issues for consideration in the determination of this application are its acceptability in land use policy terms, the impact on the character and appearance of the area; the impact on residential amenity; the effect of the proposals on the highway network; the adequacy of parking provision and flood risk.

7.2 Land Use Policy Considerations

- 7.2.1 The application site is identified within the Town Centre in the Stevenage Borough Local Plan 2011-2031 (2019) as defined by Policies TC1 and TC8. More specifically, Policy TC8 (Town Centre Shopping Area (TCSA)) of the aforementioned plan states that uses appropriate in a town centre will be permitted at ground floor level, including Use Classes A1, A2, A3, A4, C1, D1 and/or D2.

- 7.2.2 Turning to the application site itself, Policy TC8 identifies that the premises 79 to 101 Queensway are designated as primary retail frontages. Given this, only proposals for Use Class A1 (shops) will be permitted. Looking at the proposed development, it would involve a change of use of the following units which fall within primary retail frontage:-

- 85 A Queensway (former M&S store) from Use Class A1 to a flexible use of either A1, A2, A3 and A4;
- 87 Queensway (former Thomas Cook store) from Use Class A1 to a flexible use of either A1, A2 and A3;
- Unit 89 (former Select store) from Use Class A1 to a flexible use of either A1, A2 and A3.

- 7.2.3 Given the above, the proposed development could result in a potential reduction in A1 retail floorspace which would be contrary to Policy TC8 of the adopted Local Plan (2019). Notwithstanding the above, the aforementioned policy does further stipulate that planning permission would be allowed for other uses where:-

- The proposal will retain an active frontage;
- The proposal will generate footfall equivalent to, or greater than A1 or A2 use in the equivalent location; and
- The unit has been unsuccessfully marketed for A1 or A2 use, or has remained vacant, for at least six months.

- 7.2.4 In regards to the first point, the premises are currently vacant and therefore, by allowing a more flexible use in these premises, it would help to bring back these vacant units into operation creating a more active frontage and help to draw trade down to this part of Queensway. In addition, through a more flexible use, the introduction of potentially a restaurant, café or bar can help introduce a night time economy in this part of the Town Centre. Independent research such as by Allegra, the Killian Pretty Review, the Grimsey Review and more recently the High Street 2030: Achieving Change Report (by the Institute of Place Management and Manchester Metropolitan University, December 2018) have demonstrated that café's and/or coffee shops along with restaurants are social hubs which help bring people together in a safe and comfortable environment. These reports also demonstrate that they help to improve the vitality and viability of a town centre as they encourage people to stay in the centre for longer. In addition, the applicant's Town Centre Health Check report identifies that uses including banking, restaurants, cafes, fitness studios and event spaces form part of the essential retail offer for a shopping community. In

addition, the Town Centre Health Check report identifies that a more flexible approach to uses is absolutely critical to the town's success due to evidence of demands from occupiers such as Loungers, Lloyds and Pret A Manger.

- 7.2.5 Further to the above, it has been evidenced by the applicant that retailers are opting for smaller, economic stores to use which incorporate click and collect or home deliveries. They have advised that due to high rates and rent as well as a general reduction in footfall, including in Stevenage Town Centre, this has led to some retailers to change their business models showcasing less products and requiring less space in order to reduce overheads. In addition, they have advised companies like Waterstones have called upon the Government to overhaul or scrap business rates due to their debilitating impact on the high street and shopping centre retailing generally. This is supported in the report issued by the House of Commons, Ministry of Housing, Communities and Local Government (MHCLG) Committee Report – High Streets and Town Centres in 2030 dated 13th February 2019 which sets out that High Street retailers are paying business rates as a proportion of turnover ranging from 1.5% to 6.5% whereas online retailers are paying approximately 0.7% of turnover. In addition to this, the report has identified that footfall in the UK for the first 9 months of 2018 was down by 8.1% and with the average vacancy rate in the UK of 11.1%. With regards to Stevenage, the applicants Town Centre Health Check report identifies a vacancy rate of 13.6%.
- 7.2.6 It has also been evidenced that oversized portfolios have been struggling such as Woolworths and BHS and that this is now a similar situation for companies such as House of Fraser, M&S, Debenhams and New Look. This is further supported by the House of Commons and MHCLG Committee Report (2019) which identifies that around 71% of BHS stores are still empty. Furthermore, companies such as M&S are looking to close 100 stores by 2022 and Debenhams plans to close 166 of its stores. Further to this, companies such as House of Fraser and Debenhams have instructed agents to seek tenants to occupy their excessive floorspace. Moreover, the Centre for Retail Research reports that since 2008, 34 middle and large retailers have gone into administration, 8 of which in 2018, affecting 12,997 stores and 178,576 employees. Among these include HMV, House of Fraser, Maplin, Poundworld and Toys R Us. Additionally, as set out in the House of Commons Report, New Look and Carpetright have agreed Company Voluntary Arrangements (CVAs) this year. A CVA, through an insolvency practitioner, is a legally binding agreement with a company's creditors to allow a proportion of its debts to be paid back over time.
- 7.2.7 Given the aforementioned, as the retail market has substantially changed, by helping to diversify the usage of floorspace along this stretch of Queensway with the introduction of restaurants and café's will help to drive up footfall. This would, in essence, help to lead to a retailer taking on a smaller premise which is currently vacant as well helping to boost sales of existing retailers. In addition to this, the report published by the House of Commons states *"we are convinced that high streets and town centres will survive, and thrive, in 2030 if they adapt, becoming activity-based community gathering places where retail is a smaller part of a wider range of uses and activities"*. This is reflected to what is set out in the Grimsey Review where café's and/or coffee shops along with restaurants are seen as "social hubs".
- 7.2.8 Looking vacancy rates, the units associated with this application site have been vacant for more than six months and have been actively marketed commercially. The M&S store (85 Queensway) has been vacant since September 2015 and was previously marketed by CPRE (Commercial Property Real Estates) through online marketing brochures, A-boards and on commercial websites and then by Cushman and Wakefield and Prime Retail. More recently, the site has been marketed by Kearney Bell who is acting on-behalf of the

applicant. They have advised that there is no interest in letting the store as there is no demand for a store of this size and why the store has generally remained vacant for nearly 4 years.

- 7.2.9 Turning to the former Select store (89 Queensway), this property has been vacant for over 22 months and was previously actively marketed by Green and Partners (Commercial Agent) through online marketing brochures, signage and through commercial websites. The rent on this unit had also been reduced but there has been no interest in this unit. With regards to the former Rymans Stationary Store (91 Queensway), this premises has also been vacant for a number of months and was also being actively marketed for A1 retail by Green and Partners. More recently, these premises along with the most recently vacated Thomas Cook (87 Queensway) and Kaprys (24 to 26 The Forum) have been actively marketed by Kearney Bell who have also targeted a number of A1 national retailers. They have advised that again there is no interest in the use of these premises as Use Class A1 (retail).
- 7.2.10 Further to the above, the applicant has confirmed that details of the vacant premises have also been circulated through external channels such as the Estate Agents Clearing House (which covers 11,500 property agents with 2,862 retail agents), Shop Property (accessed by agents and retailers with a membership of over 10,000) and Pipnet (accessed by agents and retailers with a membership of over 10,000). Details of the vacant units were also circulated more widely by Prime Retail as well as Cushman and Wakefield when they were originally involved in the letting of the properties. However, as advised, no interest was received from A1 retailers except for River Island.
- 7.2.11 Notwithstanding the above, River Island advised (as confirmed by Kearney Bell) that they would only relocate if their fit out costs (in the region of £1m) was paid for and they could occupy under an all-inclusive rent (including rates and service charge). The agents Kearney Bell advised that this would result in a severe loss making and would not be sustainable for the landlord. In addition, this would only result in another unit within a Primary Retail frontage which falls within the Westgate Shopping Centre being vacant. Consequently, the occupation of one of the vacant units by River Island would not be financially viable or really address vacancy rates in the town centre generally.
- 7.2.12 Further to the above, whilst not part of the development site, there are a number of vacant units on the opposite side of the application site along Queensway (Units 64, 74-76, 86 and 88) which were previously occupied by A1 retailers. These premises are currently being marketed by Brown and Lee as well on commercial websites and again they still remain vacant. Taking the aforementioned matters into consideration, it has been demonstrated that there is a need for a more flexible usage in some of the premises in order to entice footfall along this part of Queensway and help to bring back a more active frontage.
- 7.2.13 Turning to the proposed change of use of 24 to 26 The Forum, whilst these premises were previously occupied by an A1 retailer, they are designated as secondary retail frontage and, as such, the adopted Local Plan does not restrict the use of premises in secondary frontages for A2, A3 and B1 uses.
- 7.2.14 Given the aforementioned assessment, whilst the proposal could potentially result in the loss of A1 retail floorspace, it would help create an active frontage, have a higher footfall and would help bring vacant units back into operation. In addition, the proposal does not result in the complete loss in A1 units. This is because these premises can be reverted back to their original approved use if, for example, a restaurant or café vacated a particular premises due to the application seeking a “flexible” permission. Consequently, the

proposed development would help to support the vitality and viability of the town centre. In this regard, the proposal is considered to comply with Policy TC8 of the Local Plan (2019), the NPPF (2019) and PPG (2014).

7.3 Impact on the Character and Appearance of the Area

- 7.3.1 In terms of design, Paragraph 127 of the National Planning Policy Framework (NPPF) 2019 stipulates that planning decisions should ensure development functions well and add to the overall quality of the area, not just in the short term but over the lifetime of the development. It also sets out that development should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping is sympathetic to local character and history, including the surrounding built environment and landscape setting. Paragraph 130 of the NPPF states that “permission should be refused for development of poor design that fail to make available opportunities available for improving the character and quality of an area and the way it functions”.
- 7.3.2 Policy GD1 of the adopted Local Plan (2019) generally requires all forms of development to meet a high standard of design which includes form of built development, elevational treatment and materials along with how the development would integrate with the urban fabric, its relationship between buildings, landscape design and relevant aspects of sustainable design.
- 7.3.3 The proposed development does not seek to extend or alter the external appearance of the application building. This is because the external works and associated extensions to the building are being implemented under planning permission 18/00268/FPM. Consequently, the proposed development would not harm the visual amenities of the area in this instance.

7.4 Impact upon residential amenity

- 7.4.1 Policy FP8 of the emerging Local Plan (2016) stipulates that permission for pollution sensitive uses will be granted where they will not be subjected to unacceptably high levels of pollution exposure from either existing, or proposed, pollution generating uses.
- 7.4.2 In terms of impact on amenities of existing premises, the nearest residential properties are located approximately 34m to the south-east of the application site in Park Place. However, these properties are located to the rear of the site beyond Marshgate. As such, these properties already lie in close proximity to noise generating uses such as Costa Coffee and Stevenage Café and Sandwich Bar. In addition, the properties in Park Place are also already affected by background noise which is generated from St George’s Way and Marshgate Car Parks. As such, it is not considered the development would have a detrimental impact on the amenities of occupiers of Park Place due to the existing surrounding environment.
- 7.4.3 Notwithstanding the above, under planning permission 18/00268/FPM which is currently being implemented by the applicant, this scheme comprises of residential apartments. These apartments would be located in a residential block located to the rear of the application site as well as above existing premises along Queensway. Consequently, it is considered that the development could potentially impact upon the amenities of future residents of the properties in the Queensway development. This is due to noise which could be generated from the proposed uses. In addition, if permission were to be granted, the premises could be used as a restaurant and/or café, which could potentially generate odours from the cooking of food which could have an effect on future residents in this instance.
- 7.4.4 Given the aforementioned, following consultation with the Council’s Environmental Health Section, they have advised that a number of conditions should be imposed if permission were to be granted. This is because without these conditions in place, the wider

environment in terms of noise, odour and lack of management of waste could have a detrimental impact on the amenities of future occupiers of the residential development. The suggested conditions are set out under paragraph 5.3 and section 9 of this committee report.

7.5 Impact on the Highway Network

- 7.5.1 The application site is currently accessed off Marshgate which is a service road off St George's Way which is managed by Stevenage Borough Council as landowner. The proposed development does not seek to alter or undertake any improvement works on the vehicular highway.
- 7.5.2 Looking at traffic generation, the proposed development does not seek to increase the existing level of floorspace within the building. As a result, the proposal would not lead to an increase in vehicle trips to and from the site over and above the existing uses. The application site is also located in a sustainable location due to being in the town centre. As such, the site is located in close proximity to Stevenage Bus Station as well as Stevenage Train Station which is approximately 300m to the west. The site is also accessible by bicycle due to the town centre being connected to the extensive cycle network.
- 7.5.3 Given the above, Hertfordshire County Council as Highways Authority does not consider the proposed development would prejudice the safety and operation of the highway network.

7.6 Parking provision

- 7.6.1 Policy IT5 of the Local Plan (2019) states that planning permission will be granted where proposals comply with the parking standards as set out in the Council's Car Parking Standards SPD (2012). The Council's Car Parking Standards SPD (2012) sets out the maximum number of parking spaces which would be required to support the proposed development.
- 7.6.2 Following an assessment of the proposed development, whilst there would be a parking demand for the development in line with the Council's Standards, the development is not seeking to create any additional floorspace. Furthermore, the proposed development, as is the current situation, does not consist of or include the provision of any off-street parking. This is because the application site, being in the town centre, is well served by public transport with a number of surface car parks in and around the Town Centre which can be used by staff and customers.
- 7.6.3 In addition to the above, the Council's Parking Standards SPD (2012) does allow for zero parking for non-residential development in the town centre due to being a sustainable and highly accessible location. Consequently, despite the lack of additional off-street parking being provided, the proposed development would still be in accordance with the Council's Car Parking Standards SPD (2012). Furthermore, the proposed development in terms of parking would be no worse than is currently the case.
- 7.6.4 With regards to cycle parking, each of the premises as detailed on the submitted drawings would be served by secure cycle parking for employees. In addition, as part of the approved development for Queensway (Planning Reference:- 18/00268/FPM), this development would also provide 18 cycle hoops on the footpath connection between the Forum and Marshgate. Consequently, it can be considered that the level of cycle parking would be appropriate for this development.

7.7 Development and Flood Risk

- 7.7.1 The application site is situated within Flood Zone 1 which has a low probability of flooding. However, as the application is classed as a Major residential application, there is a statutory requirement to consult Hertfordshire County Council as the Lead Local Flood Authority (LLFA). The LLFA has confirmed that as the proposed development comprises a change of use where no additional floorspace via extensions are being undertaken or there is the creation of no additional hardsurfacing, there is no objection to the development on flood risk grounds.

8. CONCLUSIONS

- 8.1 In summary, it is considered that the principle of the introduction of a flexible permission for the retail units would not have a detrimental impact on the vitality and viability of Stevenage Town Centre. In addition, it not considered the development would have a detrimental impact on the character and appearance of the area or harm the amenities of existing and future residents. Furthermore, the proposed development would comply with the Council's standards with regards to car parking and cycle parking and would not prejudice the safety and operation of the public highway. Finally, the proposed development would not be susceptible or generate additional flooding.
- 8.2 Given the above, the proposed development accords with the Policies contained within the adopted Local Plan (2019), the Council's Supplementary Planning Documents, the NPPF (2019) and NPPG (2014).

9. RECOMMENDATIONS

- 9.1 That planning permission be GRANTED subject to the following conditions:
- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

P1.1 (received 04.07.2019); P1.2 (received 04.07.2019); P1.3 (received 04.07.2019); P2.1 (received 04.07.2019); P2.2 (received 04.07.2019).

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 Prior to the first occupation of the ground floor Use Class A1 (Shop) to A3 (Restaurants and Cafes) or A4 (Bars and Public Houses) units as detailed on the approved drawings, a scheme for the installation of equipment to control the emission of fumes and smell from these premises shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be fully implemented prior to the first occupation of these units. All equipment installed as part of the scheme shall thereafter be operated, serviced and maintained in accordance with the manufacturer's instructions.

REASON:- To protect the amenities of the occupiers of adjoining properties.

- 4 Prior to the first occupation of the ground floor Use Class A1 (Shop) to A3 (Restaurants and Cafes) or A4 (Bars and Public Houses) units as detailed on the approved drawings, a scheme for the adequate provision of waste segregated into recycling and non-recycling

shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be fully implemented prior to the first occupation of these units.

REASON:- To safeguard the amenities of the occupiers of neighbouring properties.

- 5 No demolition or construction work relating to this permission shall be carried out on any Sunday, Public or Bank Holiday nor at any other time, except between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 0830 and 1300 on Saturdays, unless otherwise agreed in writing by the Local Planning Authority. These times apply to work which is audible at the site boundary.

REASON: - To safeguard the amenities of the occupiers of neighbouring properties.

- 6 Prior to the first occupation of the ground floor Use Class A1 (Shop) to A3 (Restaurants and Cafes) or A4 (Bars and Public Houses) units as detailed on the approved drawings, details of noise nuisance mitigation provisions appropriate to the occupation of the unit will be submitted to and approved in writing by the Local Planning Authority, so as to prevent the occurrence of noise nuisance due to the occupation and use of the unit.

REASON:- To safeguard the amenities of the occupiers of neighbouring properties.

Pro-active Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through early engagement with the applicant at the pre-application stage which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

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 January 2012.
3. Stevenage Borough Local Plan 2011-2031 adopted May 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 February 2019 and Planning Policy Guidance March 2014.