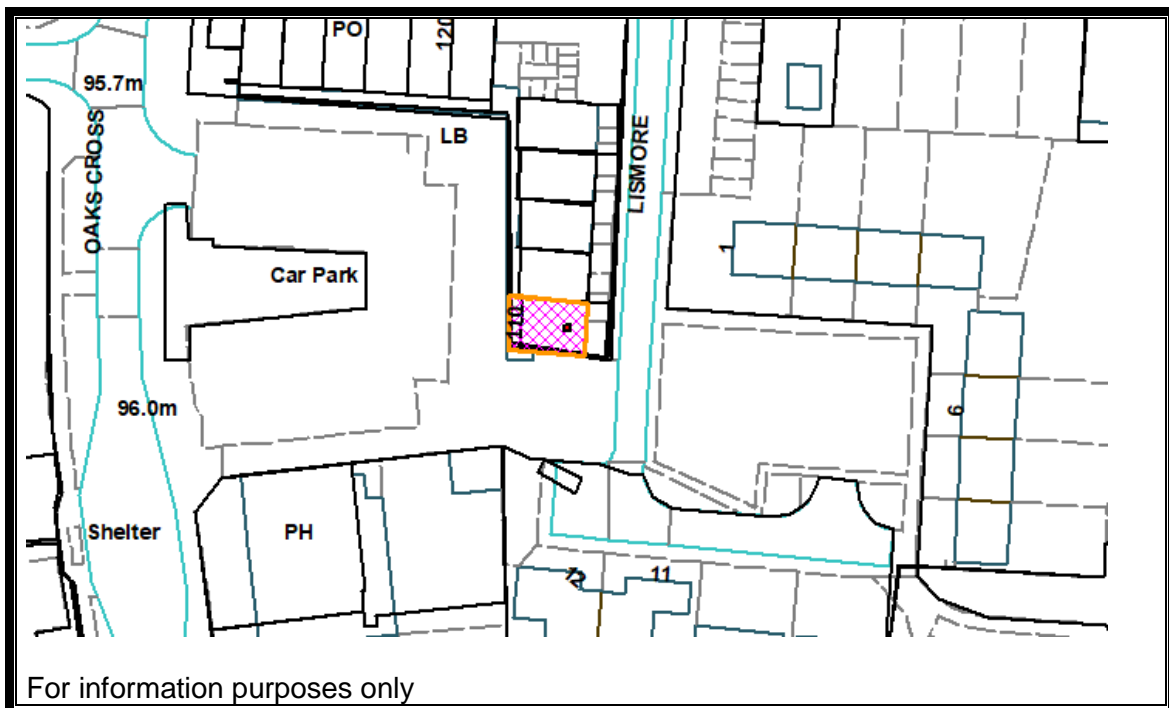


Meeting:	Planning and Development Committee	Agenda Item:
Date:	2023	
Author:	Linda Sparrow	07931 863551
Lead Officer:	Zayd Al-Jawad	01438 245257
Contact Officer:	Linda Sparrow	07931 863551

Application No :	23/00337/FP
Location :	110 Oaks Cross, Stevenage
Proposal :	Change of use from Takeaway (Sui Generis) to Restaurant (Class E) and erection of shed in rear yard
Drawing Nos.:	3817 01; 3817 02; 3817 03
Applicant :	Mr Tomay
Date Valid:	2 May 2023
Recommendation :	GRANT PLANNING PERMISSION



1. SITE DESCRIPTION

- 1.1 The application site comprises a ground floor, single commercial unit located within the Local Centre of Oaks Cross. The 'L' shaped centre provides various local community facilities, including convenience stores, post office, hot food takeaways, hairdressers, and a public house. Above the northern parade of shops is two storeys of residential units, with one storey located above the eastern parade, and the application site itself. The Local Centre is served by a car park to the front of the buildings.

2. RELEVANT PLANNING HISTORY

2.1 11/00185/CLEU. Certificate of lawful existing use for Chinese takeaway. Granted 13.05.2011.

3. THE CURRENT APPLICATION

3.1 This application seeks planning permission for the change of use from a takeaway (Sui Generis) to a café/bistro (Class E) and the erection of a shed to the rear of the premises.

3.2 This application has been referred to the Planning and Development Committee for its decision as Stevenage Borough Council is the landowner and there have been more than 5 objections to the application.

4. PUBLIC REPRESENTATIONS

4.1 This application was publicised by way of neighbour letters. The following is a summary of the comments received. This is not a verbatim copy of these comments and full details can be found on the councils website.

4.2 Comments were received from the following properties:

- Oaks Cross: 112, 112A, 114, 114A, 116A, 120

4.3 Summary of comments:

- Will affect our business and take away our trade
- Not enough parking
- Trading hours will affect our amenities, especially from noise
- If they get an alcohol licence, then we'll have issues with drunk people
- We have enough takeaways and don't need any more

5. CONSULTATIONS

5.1. Hertfordshire County Council as Highways Authority

5.1.1 Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission. This change of use 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. The construction of a shed is acceptable. Therefore, the highway authority would not wish to restrict the grant of planning permission.

5.2 SBC Environmental Health

5.2.1 There is a possibility that there could be an increase in odour nuisance from cooking fumes and noise nuisance from the extraction system. Recommend suitable conditions to require submission of details prior to use starting. Would also suggest that external seating areas are not to be used prior to 8am weekdays or prior to 9am weekends.

6. RELEVANT PLANNING POLICIES

6.1. Background to the Development Plan

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

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

6.2 Central Government Advice

6.2.1 A revised National Planning Policy Framework (NPPF) was published in July 2021. This largely reordered the policy substance of the earlier 2012 version of the NPPF albeit with some revisions to policy. The Council are content that the policies in the Local Plan are in conformity with the revised NPPF and that the Local Plan should be considered up to date for the purpose of determining planning applications. The NPPF provides that proposals which accord with an up to date development plan should be approved without delay (para.11) and that where a planning application conflicts with an up to date development plan, permission should not usually be granted (para.12). This indicates the weight which should be given to an up to date development plan, reflecting the requirements of section 38(6) of the 2004 Act.

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 SP4: A Vital Town Centre;
Policy SP8: Good design;
Policy IT5: Parking and access;
Policy GD1: High quality design;
Policy FP8: Pollution sensitive uses;
Policy HC1/6: District, Local, Neighbourhood Centres (Oaks Cross)

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.

7. APPRAISAL

7.1.1 The main issues for consideration are the acceptability of the change in land use policy terms, impact on neighbouring properties, and impact on parking and the local highway network.

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 Land Use Acceptability

7.2.1 Policy SP4 of the Local Plan 'A Vital Town Centre' clearly outlines the borough's retail hierarchy, including its District, Local and Neighbourhood centres. The Oaks Cross Local Centre is identified in Local Plan Policy HC1: District, Local and Neighbourhood Centres. The Policy states that planning permission will be granted where:

- a) The proposal is in keeping with the size and role of the centre;
- b) District and Local Centres would continue to provide a range of retail, light industrial, health, social, community, leisure, cultural and/or residential uses and retain at least 50% of ground-floor units and floor space in the main retail areas as Class A1 (shops) use;
- c) Neighbourhood Centres would continue to provide a range of small-scale retail, health, social, community, leisure, cultural and/or residential uses and maintain at least one unit in Class A1 (shops) use;
- d) The proposal does not prejudice our ability to deliver a comprehensive redevelopment scheme; and
- e) An impact assessment has been provided, where required by Policy TC13, and it has been demonstrated that there will be no significant adverse impact.

7.2.2 In principle, the change of use of the application site could be deemed acceptable, subject to a 50% provision of what was previously A1 retail being retained. When considering Use Class E (Commercial, business and service) which was introduced under the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, these regulations effectively replaced the previous Class A (e.g. shops, restaurants, cafes, financial), B (Offices, research and development, light industrial) and D (e.g. gyms) Use Classes (all of which now fall under Class E). Consequently, Class E now effectively covers retail uses (as well as other uses such as restaurants, cafes and financial services).

7.2.3 Taking the aforementioned into consideration the local centre currently has four out of eleven units in 'retail' use (Class E). The current application would result in the creation of 1no. additional Use Class E unit which would increase the number of Use Class E provision for this Local Centre. In this regard, the change of use is therefore considered acceptable in principle. In addition to this, the proposal would also bring a vacant unit back into operation and would help improve footfall in this part of the Local Centre.

7.2.3 When taking account of the existing occupants of Oaks Cross Local Centre and the current allowances for uses under Class E,, the change of use to a café/bistro (Class E) is therefore considered acceptable in land use policy terms.

7.3 Impact on the Character and Appearance of the Area

7.3.1 In terms of design, paragraph 126 of the NPPF (2021) states that achieving high quality, beautiful and sustainable buildings and places is fundamental to the planning and development process and that good design is a key aspect of sustainable development. Further, paragraph 130 of the NPPF (2021) stipulates that planning decisions should ensure developments function well and adds 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 developments 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.

7.3.2 Paragraph 134 of the NPPF (2021) states that permission should be refused especially where it fails to reflect local design policies and government guidance on design (such as the National Design Guide), taking into account any local design guidance and supplementary planning documents. Conversely, significant weight be given to:

- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or
- b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as the fit in with the overall form and layout of their surroundings.

7.3.3 Paragraph 131 of the NPPF places great importance on the role of trees in helping to shape quality, well designed places “Trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change”.

7.3.4 Policy GD1 of the 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.

7.3.5 Policy SP8 of the adopted Local Plan (2019) requires new development to achieve the highest standards of design and sustainability which can deliver substantial improvements to the image and quality of the towns’ built fabric. Policy GD1 of the Local Plan 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.

7.3.6 The National Design Guide (2019) which was published by National Government is a material consideration in the determination of planning applications. It sets out that Buildings are an important component of places and proposals for built development are a focus of the development management system. However, good design involves careful attention to other important components of places. These include:

- the context for places and buildings;
- hard and soft landscape;
- technical infrastructure – transport, utilities, services such as drainage; and
- social infrastructure – social, commercial, leisure uses and activities.

7.3.7 A well-designed place is unlikely to be achieved by focusing only on the appearance, materials and detailing of buildings. It comes about through making the right choices at all levels, including:

- the layout;
- the form and scale of buildings;
- their appearance;
- landscape;
- materials; and
- their detailing.

7.3.8 The Guide further iterates that all developments are made up of these components put together in a particular way. As such, the choices made in the design process contribute

towards achieving the ten characteristics and shape the character of a place. For reference, these ten characteristics are as follows:-

- Context – enhances the surroundings;
- Identity – attractive and distinctive;
- Built form – a coherent pattern of built form;
- Movement – accessible and easy to move around;
- Nature – enhanced and optimised;
- Public spaces – safe, social and inclusive;
- Uses – mixed and integrated;
- Homes and buildings – functional, healthy and sustainable;
- Resources – efficient and resilient;
- Lifespan – made to last.

7.3.9 Paragraph 40 of the National Design Guide states that well-designed places are:

- Based on a sound understanding of the features of the site and the surrounding context, using baseline studies as a starting point for design;
- Integrated into their surroundings so they relate well to them;
- Influenced by and influence their context positively; and
- Responsive to local history, culture and heritage.

7.3.10 The Council recently adopted an updated Design Guide SPD (Jan 2023). An understanding and analysis of the original New Town design concepts led to some key issues becoming apparent. These have been used as key themes, which run throughout the entirety of this guidance. Considering these concepts at all stages of the development process will provide a good basis for the creation of a successful place; based on the recognised principles of urban design, but also building on the existing fabric of the town without taking away from Stevenage's history as Britain's first Mark One New Town. The themes have been identified as follows:

- Sustainability – incorporate principles of sustainable development from a town-wide perspective to measures incorporated into an individual property;
- Increasing densities – encourage high densities in accessible locations;
- Respecting existing characteristics – respect local characteristics and preserve and enhance existing features, where appropriate;
- Legibility – provide landmark developments at nodal points;
- Design innovation – showcase Stevenage as an example of high-quality design, creating safer places through urban design techniques.

7.3.11 The proposal includes the erection of a shed in the rear yard. The shed would measure approximately 2.5m wide, 2.5m long, 2.1 high to the eaves and 2.5m high to the ridge with a dual pitched roof. The rear yard is enclosed with 2m high timber fencing.

7.3.12 The proposed shed, constructed in timber, would have limited views above the existing timber fencing and being constructed of similar materials to the fencing, it would assimilate well in its setting so as to not be considered harmful to the visual amenities of the area.

7.3.13 There are no changes proposed to the shopfront so there would be no impact on the visual amenities of the main shopping parade area.

7.4 Impact on Neighbouring Amenities

7.4.1 As part of the proposed development, it would comprise the addition of 6no. external tables with associated chairs. However, it is important to note that these external tables and chairs would be a licensing matter and therefore not of planning concern. Notwithstanding, it's worth noting that the presence of tables and chairs are unlikely to have a detrimental impact on the amenities of neighbouring properties as they would be effectively be controlled by the licensing regime. With regards to the operation of the premises as a restaurant, the same

extraction/ventilation plant and outlet is proposed as is existing and would be re-arranged internally, thus causing no issues in terms of noise or nuisance.

- 7.4.2 With regards to opening hours, concern from local residents is noted. The proposed opening hours are to be 6am to 6pm, 7 days a week. Whilst a 6am opening is earlier than other premises in this neighbourhood centre, it is not unusual for this type of use in neighbourhood centres. There are similar businesses in other neighbourhood centres within the town that operate similar opening hours with no noise complaints raised with Environmental Health on this issue.
- 7.4.3 A number of the existing premises at this neighbourhood centre do not open until the afternoons but go on to trade until between 11pm and midnight. It is not therefore considered that the proposed opening hours would cause such a level of disruption that it would warrant a refusal on this basis. Further, the application site previously operated as a hot food takeaway; in this regard, the proposed use would not involve late night opening and would therefore see a level of harm lower than that of the previous use.
- 7.4.4 With respect to noise, Policy FP8: Pollution Sensitive Uses stipulates that planning 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.
- 7.4.5 With regards to noise which could arise during the operational phase of development, if any complaints arose, these would be dealt with by the Borough Council's Environmental Health department.
- 7.4.6 The applicant has confirmed that the existing extraction, ventilation and flue systems will be utilised, with no changes proposed. Having checked the site history of the premises, no complaints have been raised with Environmental Health regarding noise or odours arising from the extraction, ventilation or flue systems so it is not considered that there would likely be any issues going forward with the same system.
- 7.4.7 Environmental Health have assessed the application and raised no concerns although they have suggested that conditions are imposed to require details of the mechanical ventilation systems for odour and noise control and ongoing maintenance are submitted to and approved prior to the use being implemented.
- 7.4.8 Environmental Health have also suggested a condition be imposed to prevent the use of external seating prior to 8am on weekdays and prior to 9am on weekends to minimise noise impacts on surrounding residential properties.
- 7.4.9 The proposed rear shed would measure 2.6x2.6m with a height of 2.5m. Given its minimal size and visually obscured location within the rear boundary of the unit, the proposed shed would not be visible from the public realm and is considered acceptable in visual terms.

7.5 Parking / Local Highway Network

- 7.5.1 The Council's Parking Provision and Sustainable Transport SPD (2020) states that hot food takeaway shops (excluding fast food drive thru restaurants) should provide 1 space per 3m² of floorspace of public area plus 3 spaces per 4 employees. Comparatively, restaurants/cafes should provide 1 space per 5m² of floorspace of dining area plus 3 spaces per 4 employees. Although the change of use would require a slight increase in the parking provision required, it is worth noting that the existing Local Centre car park is a good size with good local transport connections, is well serviced by buses and is connected via public footpaths to the front and rear of the local centre. Further, it is likely that a takeaway (Sui Generis) would have a greater turnaround in footfall over the course of its opening hours

compared to a café/bistro. On balance, it is therefore considered that the existing car park is sufficient to cater to the proposed change of use.

7.5.2 It is worth noting that the opening hours of the premises would be 6am to 6pm, whilst the opening hours of the existing food premises at the centre are generally lunchtimes to 11pm/midnight. Accordingly, the proposed business would only be operational at the same time as existing food premises for only a few hours from approximately lunchtime to 6pm. As such, there is unlikely to be a substantial conflict in numbers of customers wishing to use the car park as they would be operational at different times.

7.5.3 HCC Highways as the highways authority have assessed the application and concluded that the change of use 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.

7.6 Other Matters Raised in Representation

7.6.1 With regards to the objection comments received, it is worth noting that competition of trade is not a material planning consideration, so concerns from local residents and businesses in this regard cannot be taken into account. Furthermore, and as established by planning case law, the Council as Local Planning Authority has no legal powers to dictate or restrict how the market operates. Notwithstanding this, the Council has no concerns with the introduction of the new café/bistro as the proposal satisfies all of the relevant retail policies as set out in the report above.

7.6.2 Concerns raised regarding tables and chairs outside the premises would be a matter for Environmental Health under their licencing powers.

7.6.3 Concerns raised regarding the selling and consumption of alcohol would be a matter for Environmental Health under their licencing powers and is not a material planning consideration.

7.7 Other Matters

Community Infrastructure Levy

7.7.1 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	

7.7.2 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.

- 7.7.3 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.
- 7.7.4 With regards to how the CIL monies are spent, the ultimate decision lies with Stevenage Borough Council and the allocation of funding amount of £75,000 or over will rest with the Planning and Development Committee. Service providers who would not receive contributions through the Section 106 agreement for this development, including but not limited to those at Hertfordshire County Council and Stevenage Borough Council, will be able to bid for funding in due course.

Equality, Diversity and Human Rights

- 7.7.5 Consideration has been given to Articles 1 and 8 of the First Protocol of the European Convention on Human Rights. It is not considered that the decision would result in a violation of any person's rights under the Convention.
- 7.7.6 When considering proposals placed before Members it is important that they are fully aware of and have themselves rigorously considered the equalities implications of the decision that they are taking.
- 7.7.7 Rigorous consideration will ensure that proper appreciation of any potential impact of that decision on the Council's obligations under the Public Sector Equalities Duty. As a minimum this requires decision makers to read and carefully consider the content of any Equalities Impact Assessment (EqIA) produced by officers.
- 7.7.8 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
- 7.7.9 Measures will be put in place during the construction phase of the development to minimise harm to neighbouring properties arising from noise and dust. Residential dwellings are not considered to be a noise-based use and the dwelling has been assessed to not result in harm to neighbouring properties through overlooking or loss of privacy. Accordingly, it is not considered that the development would contravene the Human Rights Act by way of preventing or hindering the right to peaceful enjoyment of a home.
- 7.7.10 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.

7.7.11 The property is level access as existing and there are no proposed changes to this. The applicant will be required to provide adequate toilet and washroom facilities per the number of covers in the premises in line with the relevant legislation in force at the time of operation.

8. CONCLUSIONS

8.1. In conclusion, the proposed development is considered to be in accordance with the development plan taken as a whole and there are no other material considerations which warrant a decision other than in accordance with the development plan.

9. RECOMMENDATIONS

9.1 That planning permission be GRANTED subject to the conditions below with authority given to the Assistant Director of Planning and Regulation in consultation with the Chair of Planning Committee, to amend or add to the suggested draft conditions set out in this report, prior to the decision notice being issued, where such amendments or additions would be legally sound and most effectively deliver the development that the Planning Committee has resolved to approve. The suggested conditions are as follows:-

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
3817 01; 3817 02; 3817 03;
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 use hereby permitted being implemented, a scheme for the installation of equipment to control the emission of fumes and odour from the premises shall be submitted to and approved in writing by the Local Planning Authority. All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the manufacturer's instructions. As a minimum to control the cooking fumes/odour from the low-level extract system the following filtration shall be installed in the system: grease filters, pre-filters and carbon filters.
REASON:- To ensure local neighbours do not suffer a loss of amenity by reason of odour nuisance.
- 4 The rating noise level (specific sound corrected for any acoustic features) of the plant should be 10dB below the representative background noise level (L_{90}) at 1 meter from the nearest noise sensitive receptor. The method of assessment shall be carried out in accordance with BS4142:2014 +A1(2019) (Methods for rating and assessing industrial and commercial sound).
A test shall be carried out after all the mechanical plants and associated equipment have been fully installed and before the use commences. The result of the test is to be submitted to the Local Planning Authority for approval.
REASON:- To ensure that occupiers of residential premises do not suffer a loss of amenity by reason of noise from the kitchen extraction system.
- 5 Prior to the use hereby permitted being implemented, an Odour Management Plan, setting out cleaning, maintenance, and filter replacement policies according to the proposed or existing system shall be submitted to and approved in writing, by the Local Planning Authority. The plan should include a written recording system to record and demonstrate

when all such work is carried out. The approved odour management plan shall be complied with throughout the duration of the use.

REASON:- To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of odour nuisance from food preparation activities at the premises.

- 6 There shall be no use of any external tables or seating areas before 8am on Monday to Friday or prior to 9am on any Saturday, Sunday or Bank Holiday.

REASON:- To ensure that occupiers of residential premises do not suffer a loss of amenity by reason of noise.

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

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

INFORMATIVES

1 Public Information on Planning Applications

Warning: all information provided on your planning application is now publicly available. Individuals and organisations offering their services may contact you. The Council does not endorse or approve any builders, surveyors, trades persons or other supplier, and advises householders to obtain quotes/references, and check the legitimacy of any contractor who contacts them before making payment.

2 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.

3 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).

4 **Party Wall etc. Act 1996**

Any work that affects a party wall, including foundations dug within 3.0m of a neighbouring building, may be controllable under the Act and may require approval from the adjoining owner(s). Party Wall Act matters are always civil matters and it is neither Stevenage Borough Council's nor Hertfordshire Building Control Ltd's remit to control or enforce Party Wall act matters. Please refer to the Government's explanatory booklet The Party Wall etc. Act 1996, a copy of which is available online at <https://www.gov.uk/government/publications/the-party-wall-etc-act-1996-revised-explanatory-booklet>

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 October 2023.
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 July 2021 and Planning Policy Guidance March.