DELEGATED FILE NOTE

CASE OFFICER: …Ben Glover……

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
18/00284/LDCP	Proposal use of ground floor as Hair Salon and Nail Bar (use Class A1)	71 Ickleford Road Hitchin Hertfordshire SG5 1TL

Submitted Plan Nos

1.0 Policies

2.0 **Site History**

2.1 No relevant planning history.

3.0 **Representations**

3.1 None required.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The site subject to this application is situated on the ground floor of No. 71 Ickleford Road. The site is currently in use as a Beauty Parlour (Class A1), with a previous use being as a Barbour shop (Class A1).

4.2 **Proposal**

4.2.1 A Certificate of Lawfulness is sought for the change of use from a Beauty Salon, operating under an A1 use class, to Hair Salon and Nail Bar, also an A1 use class.

4.3 **Key Issues**

4.3.1 The key issues in this case are; what the lawful use class of the existing premises is; what use class a Hair Salon and Nail Bar would be or would be required to make the

use lawful; and finally, whether or not permission is required for the change of use if the existing lawful and proposed use classes are juxtaposed.

4.3.2 The Local Planning Authority hold no evidence that the existing lawful use class of the premises is anything other than A1. The proposed change of use would also fall under use class A1. Given that the proposed use of the property would be of the same use class as existing, it is considered that the proposed change would be lawful and not require planning permission.

4.4 **Conclusion**

4.4.1 In the absence of any material difference between potential A1 uses and the proposed use of the premises as a hair salon and beauty parlour, it is considered that the proposed change of use would be lawful, and thereby not require planning permission.

5.0 **Recommendation**

5.1 That a Certificate of Lawful Use can be **ISSUED** for the following reason:

1. The proposed use of the building is not considered to be materially different to potential accepted uses which fall within the existing, lawful, A1 use class of the building. As such, the proposed change of use is not considered to constitute development under Section 55 of the Town and Country Planning Act 1990.

Signed  Tom Rea Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 8 May 2018	