

DELEGATED FILE NOTE

CASE OFFICER: ...Tom Rea.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/01041/FP	Replacement building (for Class B2 (General Industrial), Class B8 (Storage and Distribution) and Class E (Commercial, Business and Service) following demolition of fire damaged parts	Baldock Industrial Estate London Road Baldock Hertfordshire SG7 6NG

Submitted Plan Nos

240936-00 240936-00-D 240936-02-C 240936-100-A 240936-101-A 240936-102-B 240936-103-A
240936-104-A 240936-105-B 240936-106-L 240936-107-L DEV240906-1221 MWA PP 01

1.0 Policies

1.0 **Relevant Planning Policy:**

- 1.1 North Herts Local Plan 2011 - 2031
Policy SP1: Sustainable Development in North Hertfordshire
Policy SP3: Employment
Policy SP6: Sustainable Transport
Policy SP9: Design & Sustainability

Policy ETC1: Appropriate Uses in Employment Areas
Policy D1: Sustainable Design
Policy D3: Protecting Living conditions
Policy D4: Air Quality

Policy T1: Assessment of Transport Matters
Policy T2: Parking

Policy NE4: Biodiversity & geological sites

1.2 National Planning Policy Framework (2024)

Relevant throughout with particular reference to the following:

Section 2: Achieving sustainable development
Section 6: Building a strong competitive economy
Section 9: Promoting Sustainable Transport

1.3 Baldock, Bygrave and Clothall Neighbourhood Plan

Policies G3, G4 are relevant.

2.0 **Site History**

- 2.1 24/01552/PRE: Demolish fire damaged parts and erect replacement building. Officer advice that there was no objection in principle subject to various detailed matters to be addressed.

3.0 **Representations**

- 3.1 Site Notice / Adjacent occupiers: No responses received

- 3.2 Herts Highways: 'No objections subject to Construction Method Statement condition'.

- 3.3 NHDC Environmental Health: Recommends conditions re land contamination and noise.

- 3.4 Baldock, Bygrave & Clothall Neighbourhood Planning Group:

No response

- 3.5 NHDC Ecologist: Advises that the inclusion of new planters and bird boxes is welcomed. No objection.
- 3.6 Herts Fire & Rescue Service: Advises : 'With regards to the proposed demolitions of fire affected units, I have no comments to make at this stage. My presumption is firefighter access to any replacement industrial units will not be worse than existing - please feel free to contact me for any concerns.

Any new proposed industrial units will be assessed at greater detail in conjunction with current Building Regs at the Building Control stage.'

- 3.7 Herts County Council Water Officer:
No response

- 3.8 Waste and Recycling Services Manager : Advises as follows:
'Space for a minimum of three streams of waste collection is required for commercial developments; this is to satisfy the pre-treatment regulations. Food waste is mandatory for businesses with more than 10 employees. Collections can either be provided by the Council or by a private company.

Waste should ideally be stored at ground level; to reduce manual handling risks a management solution may be required to facilitate collection if the vehicle cannot get within 10m of the bin storage area.

A change of use planning application will still require adequate consideration for the waste storage and collection requirements for the premises.'

- 3.9 Natural, Historic and Built Environment Advisory team:

'This proposal seeks to replace an existing building largely on the same footprint, therefore, in this instance, we have no comment to make on the proposal.'

4.0 Planning Considerations

4.1 **Site and Surroundings**

- 4.1.1 Industrial site located within an established employment site off London Road, Baldock. The site lies outside of the Baldock Town Centre boundary. The site is fire damaged with the original roof collapsed and most of the structure derelict and useable.
- 4.1.2 The site area is 5441 sq metres. Access is from London Road. Several existing small industrial units are located around the site.

4.2 **Proposal**

- 4.2.1 The proposal is to effectively rebuild the fire damaged industrial buildings with the exclusion of the two outer wings. The proposal relates to the former units 18, 19, 20, 21, 22, 23, 25, 25a, 27, 28, 29, 30, 31 – 33, 34, 34a, 35, 36, 37 & 38 which largely

relate to the central core of the original industrial buildings. The proposed reinstated and new floorspace amounts to 3,900 sq metres (paragraph 3.12 of Planning Statement)

4.2.2 A new roof is proposed that would include a higher eaves to the south western elevation and first floor storage projecting over what was previously a flat roofed single storey projection on the north western elevation. There would be no increase in ridge height over and above the original maximum ridge height of the former industrial block. 46 parking spaces would be provided close to the north western and south western edges of the site. In addition, two lorry parking spaces are proposed. External materials include a metal roof in powder blue colour and vertical cladding in gull grey for the main external walls. The roof and walls will include translucent panels to provide natural light to the units.

4.2.3 The application form describes the current use of the site as for B2 and B8 purposes. The proposed use would be for Class B1, B2 , B8 and Class E (Commercial, Business and Service uses)

4.2.4 The application is supported by the following documents:

- ☐ Planning statement
- ☐ Design and Access statement
- ☐ Preliminary Ecological Appraisal & Roost Assessment
- ☐ Flood Risk Assessment
- ☐ Envirocheck report
- ☐ Ground Investigation report
- ☐ Highways report
- ☐ Energy statement
- ☐ Soft Landscape Plan / drawing

4.2.2 **Key Issues**

4.2.3 Principle of the development

4.2.4 The site is located within a designated Employment site in the Local Plan. It is identified as such on the Local Plan Proposals Map for Baldock. Within the Employment areas development is limited to office, research and development, industrial processes, industrial and storage and distribution uses under Policy ETC1 although other uses may be permitted subject to certain criteria.

4.2.5 In this case the proposed use of the buildings includes Class E (commercial, business and service uses) . Class E includes a number of non-employment uses such as retail, recreational use, medical services, nursery / creche and a permitted change to Class c3 residential. Some of these uses may not be particularly appropriate due to the industrial location and the lack of parking therefore a condition restricting permitted development rights and the scope of the Class E use is recommended.

4.2.6 Given the nature of the proposed development and the context of the site within an established industrial estate as well as the sustainable location within the town and with the available public transport choices, it is considered that there can be no objection in principle to the proposed development.

4.2.7 Design and layout.

- 4.2.8 The proposed portal frame roof will be of a similar appearance as that that existed prior to the fire however there will be some slight changes to the eaves heights but no increase in ridge height. The gables roof design and low pitch will be similar to the original but would have a more uniform appearance extending over the original flat roofed north western section. The use of metal sheeting and cladding is appropriate for this industrial setting and the blue and grey colour scheme is unobjectionable.
- 4.2.9 The provision of a number of glazed panels to allow light into the building will improve the working environment for occupiers. Each unit is clearly defined with roller shutter and pedestrian entrances. The internal arrangement and unit sizes will remain as previously existed with the smaller units facing north west and the larger units located on the south east side of the building.

Overall, the proposed development, albeit to a slightly different design and floorspace – is acceptable in design terms particularly as the scale and massing and general appearance is not dissimilar to that which previously existed on site. The proposals would generally comply with Policies SP9 and D1 of the North Herts Local Plan.

4.2.10 Landscaping and ecology

- 4.2.11 The development site is largely restricted to the original footprint and service areas providing limited scope for new landscaping. Broadly speaking the landscaping of the site will be similar to the pre-fire arrangement with parking spaces and hardstanding alongside the main north west and south east frontages of the building. However, a landscape and habitat plan proposes the provision of some additional mixed species planters to be located in the north east corner of the development site.
- 4.2.12 The submitted ecological appraisal and roost assessment assess the suitability and/or potential of the site for a number of wildlife species (including bats and invertebrates) however the site does not contain any habitats or buildings that would provide suitable habitat for the identified species. The report acknowledges that it is the wider landscape which is much more suited for foraging / habitat as it comprises residential gardens and scattered boundary trees / hedgerow. The habitat plan does propose the provision of bird boxes on the south east elevation.
- 4.2.13 The Council's Ecologist welcomes the provision of the new planters and bird boxes which will provide some biodiversity net gain in accordance with Policy NE4 of the Local Plan. Due to the lack of priority habitat within the site this proposal is exempt from the need to provide a 10% net gain as required by the Environment Act legislation.

4.2.14 Impact on neighbouring properties

- 4.2.15 The nearest residential neighbours are those at Hiilcrest and Alder Close to the north west and south west and property in Crabtree Lane to the south east. All of these neighbours are separated from the site by other industrial units and boundary vegetation and as such it is unlikely that there will be any physical impact on these neighbouring properties. The Council's Environmental Health officer has recommended several conditions designed to protect residents from plant noise to comply with Policy D3 of the Local Plan.
- 4.2.16 There will be some inevitable disruption during the construction phase however the Highway Authority has recommended a Construction Management Scheme condition

in order to control the construction process and mitigate disruption to adjacent occupiers.

4.2.17 Parking, access and waste storage

4.2.18 The proposed floorspace is 3,900 sq metres and for a mixed use employment scheme the Council's parking standards SPD would require an on site provision of 98 spaces. However, the site is within Zone 1 of the Non residential accessibility zones identified in the Parking SPD within which between only 0 – 25% of unfettered demand is required so a maximum parking provision could be as low as 0 - 25 spaces. The submitted plans show the provision of 46 car parking spaces thereby comfortably meeting the SPD parking parameters (even though several spaces are outside of the red line application site area). The provision of two allocated HGV spaces is identified. Staff parking can be accommodated within the overall proposed provision of 46 spaces however in this sustainable location close to public transport alternatives it would be expected that many staff will use other forms of transport than the private car (e.g. bus , train and cycling). No cycling storage / parking is shown however this can be conditioned.

4.2.19 There are no waste storage facilities shown for the proposed units and it is unclear how waste storage was accommodated and / or collected prior to the fire. A condition is recommended to establish the method of waste collection and storage.

4.2.20 Access to the site will be via the existing circular service road that runs around the site. The Highway Authority has raised no objection in highway terms.

4.2.21 Sustainability and energy

4.2.22 The site is located within a sustainable location close to Baldock Town Centre and its range of services and facilities. The NPPF and the Local Plan encourages development to be focussed in locations which are accessible and sustainable and the proposed development will, as a result of its location, comply in general terms with the locational criteria for new development as required by the NHLP and NPPF.

4.2.22 The submitted energy statement assessed potential renewable energy features that could be applied and / or incorporated into the proposed building. It has concluded that the provision of air source heat pumps are deemed the most appropriate technology for the development with other options ruled out due to various financial and site layout constraints. To satisfy the Council's Sustainability SPD requirements the full range of energy saving / carbon reducing measures are as follows:

- ☐ Passive design measures
- ☐ Low u-values
- ☐ Air Source Heat Pumps

It is considered that in the circumstances the provision of the above measures is sufficient to demonstrate compliance with SPD and Local Plan policies.

4.2.23 Climate change

4.2.24 The development ,although of a reasonably large scale, makes the most efficient use of a previously developed site and includes some measures to reduce carbon emissions and improve biodiversity. Overall, the development is unlikely to have any significant effect on local climate change.

4.2.25 Planning Obligations

- 4.2.26 The proposal is effectively replacing industrial floorspace lost through fire damage. Any increase in useable floorspace over the original development site is marginal. As such it would not be appropriate to seek planning obligations in this particular instance (for example sustainable transport contributions) and it is noted that the Highway Authority have not requested that the LPA seek any planning obligations in accordance with their 'Developer Infrastructure Contributions' guidance.

4.4 **Conclusion**

- 4.4.1 The proposals are acceptable in planning policy terms and the design and scale of the development is appropriate for this industrial location. No objections have been received from statutory consultees and any matters requiring additional information or mitigation can be dealt with by appropriately worded planning conditions. The development will provide economic and environmental improvements and there would be social benefits arising from an improvement to the outlook of nearby residents and the strengthening of the community by bringing back into use an important employment site. Overall the development will achieve sustainable development in accordance with national and local plan policies.

4.5 **Alternative Options**

- 4.5.1 None applicable

4.6 **Pre-Commencement Conditions**

- 4.6.1 I can confirm that the applicant is in agreement with the pre-commencement conditions that are proposed.

5.0 **Recommendation**

- 5.1 That planning permission be **GRANTED** subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting approved documents and plans listed above.

Reason: To ensure the development is carried out in accordance with details which form the basis of this grant of permission.

3. No development approved by this permission shall take place until a further Phase 2 investigation report, as recommended by the previously submitted Soiltechnics Ltd report dated May 2025 (Ref: STW6827-R01-Rev_A), has been submitted to and approved in writing by the Local Planning Authority. Where found to be necessary by the phase 2 report a remediation strategy to deal with the risks associated with contamination of the site shall also be submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall include an options appraisal giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency action.

Reason: To protect human health and to ensure that no future investigation is required under Part 2A of the Environmental Protection Act 1990.

4. Prior to the development being occupied a validation report shall be submitted and approved in writing by the Local Planning Authority to demonstrate the effectiveness of any agreed Remediation Strategy. Any such validation shall include responses to any unexpected contamination discovered during works.

Any contamination that is found during the course of construction of the development permitted that was not previously identified shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be carried out before the development is resumed or continued.

Reason: To protect human health and to ensure that no future investigation is required under Part 2A of the Environmental Protection Act 1990.

5. Prior to the commencement of the development details of any proposed fixed plant or machinery shall be submitted to the Local Planning Authority for approval. Any approved fixed plant or machinery shall be installed in accordance with those details.

Reason: To protect the amenity of neighbouring residential occupiers. To comply with Policy D3 of the Local Plan.

6. No development shall commence until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority, including elements of the CLOCS standards as set out in the Highway Authority's Construction

Management template. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan: The Construction Management Statement shall include details of:

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

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

7. Notwithstanding the permitted development uses set out under the Town and Country Planning Use Classes Order 1987 (as amended) and the Town and Country Planning (General permitted Development) (England) Order 2015, the development hereby permitted shall be restricted to use Class B2 (General Industrial), Class B8 (Storage and Distribution) and parts c) and g) only of Class E (Commercial, Business and Service) unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order for the Local Planning Authority to control the uses of the site given the location within an industrial area and the limited parking available within the site. To comply with Policies D1 and T2 of the North Herts Local Plan 2011 - 2031.

8. Prior to the occupation of the units hereby permitted full details of cycle parking for the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To comply with the Council's Parking Supplementary Planning document and to ensure that the development promotes sustainable transport in accordance with the Local Transport Plan (LTP4) and the National Planning Policy Framework

9. Prior to the occupation of any of the units hereby permitted full details of the refuse storage and collection arrangements for each unit shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure adequate refuse storage and collection arrangements in the interests of amenity and highway safety. To comply with Policies SP9 and D1 of the Local Plan

Biodiversity Net Gain

1. This development is not subject to the statutory Biodiversity Gain Plan condition because it is considered exempt under the statutory exemptions (<https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>) or transitional arrangements in respect of the biodiversity gain condition.

Proactive Statement:

Planning permission has been granted for this proposal. The Council acted proactively through early engagement with the applicant at the pre-application stage which led to improvements to the scheme. The Council has therefore acted proactively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Informative/s:

1. **HIGHWAY INFORMATIVE:**
The Highway Authority recommends inclusion of the following Advisory Note (AN) to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980.
Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.
Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.
Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> telephoning 0300 1234047.
Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047

Signed  Shaun Greaves Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 12 June 2025	