

DELEGATED FILE NOTE

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

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
24/01762/FP	Variation of planning permission ref: 19/02398/FP to provide a dental practice at ground floor level (Class E) and alterations to previously approved shopfronts	Austin House Queen Street Hitchin Hertfordshire SG4 9TS

Submitted Plan Nos

3476 01A 3476 11B 3476 52D 3476 53C 3476 55A 3476 56 3476 57 3476 70B

1.0 Policies

2.0 **Site History**

- 2.1 19/02398/FP : Creation of third floor and re-cladding of existing building to facilitate the conversion of existing ground floor A1 retail space to flexible commercial space comprising of 3 units of A1-A2 use and conversion of existing first and second floors to provide 3 x 1-bed and 5 x 2-bed flats. Grated 4/12/19. Implemented.
- 2.2 24/00341/NMA: Change in external finish materials (as non-material amendment to planning permission reference 19/02398/FP granted on 04.12.2019). Granted 22/5/24. Implemented.

3.0 **Representations**

- 3.1 Site Notice / Adjacent occupiers: No responses received
- 3.2 NHDC Waste Manager: 'Cannot comment. Waste collection provision not outlined'
- 3.3 NHDC Environmental Health: Comment as follows: 'The floor insulation details recommended in the application 20/02107/DOC are sufficient to mitigate against any noise from the proposed use. I, therefore, have no objections to the proposals'.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 Austin House comprises a three storey building located on the corner of Queen Street and Bridge Street. The ground floor was recently in A1 retail use and the upper floors have been converted into residential use. The building is attached to the Asda Supermarket. The site is within the Hitchin Conservation Area.

4.2 **Proposal**

- 4.2.1 Variation of planning permission ref: 19/02398/FP to provide a dental practice at ground floor level (Class E) and alterations to previously approved shopfronts
- 4.2.2 The ground floor of the building would be entirely occupied by the dental surgery use. A bin storage area is shown on plan ref: 55A.
- 4.2.3 The upper floors have already been converted into residential use as part of planning permission ref: 19/02398/FP.

4.3 **Key Issues**

- 4.3.1 The key issues include the principle of the development, impact on the character and appearance of the locality, impact on designated heritage assets, impact on neighbouring properties, car parking and access and environmental implications.
- 4.3.2 **Principle of the development**

- 4.3.3 The application site is a previously developed site in the urban area. It is also within the Hitchin Town Centre boundary (Policy SP4, ETC3) as identified in the Town Centre Insets Map of the Local Plan.

Within such a location mixed use developments such as housing and retail uses are entirely appropriate in principle and consistent with local and national planning policies aimed at ensuring the vitality of town centres (e.g. Section 7 of the NPPF and Policy ETC3 of the Local Plan).

- 4.3.4 The site is identified as a Secondary Shopping Frontage in the LP (Policy ETC5) within which states:



- 4.3.5 This proposal would provide a dental surgery on the ground floor which falls within Class E (e) of the Town and Country Planning (Use Classes) Order 1987 9as amended) – i.e ‘the provision of medical or health services, principally to visiting members of the public..’
- 4.3.6 It is considered that the proposed Class E (e) use falls within category b) of Policy ETC5. The dental use is a use commonly found in town centre locations and its use would generate footfall and linked trips to other Class E uses and other services within the town centre. The use would not undermine the retail function of the town centre but would arguably enhance it. I therefore consider that the use would comply with Policy ETC5.
- 4.3.7 The authorised use of the ground floor premises is for three A1 – A2 retail units (on the basis that planning permission ref: 19/02398/FP has now been implemented) The retail use of the ground floor also falls within Class E (a). Permission ref: 19/02398/FP was unrestricted.
- 4.3.8 The proposed use is considered acceptable both in terms of national and local plan policy.
- 4.3.9 **Impact on character and appearance**
- 4.3.10 The submitted plans show a change to the shopfronts authorised under planning permission ref:19/02398/FP. The key south elevation of the building facing Bridge

Street remains a glazed elevation without the previously approved entrance doors. I have no objection to this glazing.

4.3.11 The location of the air conditioning enclosure is not ideal – it is recommended that further details of this enclosure are conditioned to secure an acceptable appearance.

4.3.12 In summary I consider that the proposed development has the potential to have maintain a positive impact on the character and appearance of the area.

4.3.13 Impact on heritage assets

4.3.14 The site is within the Hitchin Conservation Area , a designated Heritage Asset. In the Hitchin Conservation Area Character statement (2011) the application site forms part of an 'Area identified as an improvement opportunity' . Austin House is attached to the Asda supermarket and its service yard and the Character statement specifically mentions the Asda site as an 'opportunity for enhancement'.

4.3.15 It is considered that the proposals meet in part the aspirations of the Hitchin Conservation Area Character Statement in that significant visual improvements are made to part of the 'improvement opportunity' site.

4.3.16 Within the Character Statement it is noted that there are listed buildings opposite in Bridge Street and Park Street including the Lord Listed hotel . These buildings are on the opposite side of the roundabout. In the case of Bridge Street, the listed building is west of the application site and facing the Maltings and is not directly affected. In the case of Park Street the Lord Listed Hotel is flanked by existing buildings and is itself three storeys high with pitched roof. I consider that the setting of these buildings is not materially affected by this development.

4.3.17 Overall I consider that the use would not be harmful to designated heritage assets.

4.3.18 Impact on neighbouring properties

4.3.19 It is likely that the only neighbours affected are the occupiers of the office accommodation at the Maltings given that part of that development physically adjoins Austin House. This is unlikely to affect the operational use of the building at The Maltings as serviced offices.

The EHO has commented that the sound insulation measures previously approved are acceptable therefore there would be no impact on the residential use of the upper floors.

4.3.20 Car Parking and access

4.3.21 There is no change to the parking arrangement for this proposals. The application proposes 6 parking spaces accessed off Queen Street to be used by the upper floor flat occupiers. There is no dedicated parking for the ground floor use and none would be expected in this town centre location where it is well served by public transport and there are various car parks nearby.

4.3.22 In terms of servicing for the dental surgery , the service yard to the side off Queen Street would continue to facilitate access for ground floor unit. the shops. Waste and recycling provision is provided for within a covered storage area with access directly from Queen Street.

4.3.23 **Environmental Implications**

4.3.24 This application is exempt from the BNG regulations and will not have any significant impact on local climate change.

4.4 **Conclusion**

4.4.1 The development is acceptable in planning and highway terms.

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. Prior to its installation full details of the proposed air conditioning screening enclosure shall be submitted to and approved in writing by the Local Planning Authority . The details shall include all materials and external finishes. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to comply with Policy 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. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. 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.

Signed  Sam Dicocco	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 4 November 2024	