

DELEGATED FILE NOTE

CASE OFFICER: ...Henry Thomas.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/00378/FP	Change of use of first floor and parts of ground floor from Class E use to residential use (C3) to provide 3no flats with external alterations to facilitate the change of use.	4 Station Road Letchworth Garden City Hertfordshire SG6 3BH

Submitted Plan Nos

3883 01B 3883 02B 3883 03B 3883 05B

1.0 Policies

SP1 Sustainable development in North Herts

SP9	Design and Sustainability
SP6	Sustainable transport
SP8	Housing
D1	Sustainable design
D3	Protecting living conditions
HE1	Designated heritage assets
HS3	Housing mix
T1	Assessment of transport matters
T2	Parking
SECN12	Achieving well-designed places
SECN14	Meeting climate change,coastal,flooding

2.0 **Relevant Site History**

- 2.1 **99/00705/1** - Relocation of front entrance door, night safe and ATM machine (as amended by drawing 65990147/124A received on 23.6.99).

Conditional Permission.

- 2.2 **85/01464/1** – Erection of replacement single storey rear extension and installation of new shopfront.

Conditional Permission.

- 2.3 **85/01068/1** - Change of use from retail/light industrial to bank.

Granted.

- 2.4 **80/01035/1** - Change of use from cafe to showroom and enlargement of associated plastics and fabrication workshop with offices above and provision of 16 car parking spaces at rear and installation of replacement ground floor windows.

Conditional Permission.

- 2.5 **80/00238/1** - Change of use from cafe to showroom and enlargement of associated plastics and fabrication workshop with associated offices above.

Refused.

- 2.6 **79/01751/1** - Conversion of existing covered yard by the removal of internal walls installation of boundary wall and entrance doors and its use, together with that of adjoining building as a plastic and fabrication workshop.

Conditional Permission.

3.0 **Representations**

- 3.1 **Site Notice and Neighbour Notification** – One received in objection.

☐ Overlooking of neighbouring office.

☐ Impacts from the construction phase of development.

- 3.2 **Letchworth Garden City Heritage Foundation** – None received.

- 3.3 **NHC Environmental Health (Contaminated Land, Noise & Air Quality)** – No objection subject to conditions.

- 3.4 **HCC Highways** – No objection subject to conditions and recommended informatives.

- 3.5 **NHC Waste and Recycling** – Require further information.

4.0 **Planning Considerations**

- 4.1 **Site and Surroundings**

4.1.1 The site consists of a terraced two storey building on the north side of Station Road within the Letchworth Town Centre. The site is located within the Letchworth Conservation Area. The site is also subject to the Letchworth Article 4 Direction. The building is served by a parking court to the rear.

4.2 **Proposal**

4.2.1 Change of use of first floor and parts of ground floor from Class E use to residential use (C3) to provide 3no flats with external alterations to facilitate the change of use.

4.3 **Key Issues**

- The acceptability of the design of the proposed development and its resultant impact on the character and appearance of the locality.
- The impact that the proposed development would have on the living conditions of neighbouring occupiers.
- The impact that the proposed development would have on car parking provision in the area.
- The impact that the development would have on the environment.

Principle for Development

4.3.2 In terms of the principle of residential accommodation, it will be noted that the site is within a sustainable location being in the centre of Letchworth where there are a large number of local services and facilities. Policy SP1 of the Local Plan supports the principles of sustainable development and to maintain the role of key settlements within and adjoining the District as the main focus for housing, employment and new development making use of previously developed land. The proposal would be consistent with this policy as well as Policy SP2 which identifies Letchworth as one of the key settlements where up to 80% of the districts development needs will be met over the Plan period.

4.3.3 Policy SP9 of the Local Plan supports new development where it is well designed and located and responds to its local context. I consider that the proposal will, having regard to the particular design and layout of the scheme (see detailed comments below) and the character of the area, will be broadly consistent with Policy SP9 of the Local Plan.

4.3.4 The NPPF is clear at paragraph 86, part a) that in town centre locations such as Letchworth Town Centre, there should be a suitable mix of uses including housing.

4.3.5 It is worth noting that the site falls within Letchworth Town Centre and Policies SP3 and ETC4 also apply to the land in question. I can see no conflicts with these policies given that the ground floor commercial space will be retained.

Design and Appearance:

4.3.13 The objectives of the National Planning Policy Framework (NPPF) include those seeking to secure the creation of high quality, beautiful and sustainable buildings, and places (Section 12 – Achieving well-designed places). Paragraph 126 of the NPPF states that “*Good design is a key aspect of sustainable development, creates better places in which*

to live and work and helps make development acceptable communities". In this regard, Policy D1 of the North Hertfordshire Local Plan are consistent with the objectives set out within the NPPF.

- 4.3.14 The proposed works are predominantly internal, however would require the creation of a new entrance and ramp to the east elevation. In my view a door and ramp in the position would be a sympathetic addition to the building and would not have a detrimental impact on the character and appearance of the building and therefore would not result in any adverse harm to the street scene or the conservation area.
- 4.3.15 This is considered in line with Section 12 of the National Planning Policy Framework and Policies D1, D3 and HE1 of the Local Plan.

Impact on Neighbouring Occupiers:

- 4.3.16 The objectives of the NPPF seek to ensure that developments secure a high standard of amenity for existing and future occupiers (Section 12 – Achieving well-designed places). This principle is reflected in the provisions set out in Policy D3 of the North Herts Local Plan.
- 4.3.17 Policy D3 of the North Hertfordshire Local Plan sets out that planning permission will be granted for developments proposals which do not cause unacceptable harm to living conditions.
- 4.3.18 Given the change from office to residential, the new use is unlikely to differ to any noticeable extent. The impact of the change of use would mean that there would be an increase in the use of the proposed space in that the previous use largely relates to weekdays and daytime activities. With regard to noise ingress, Environmental Health have recommended a condition for a Noise Management Scheme to protect future occupiers. In terms of increased noise level from the proposed use, as far as I am aware, the neighbouring units are under commercial usage and therefore would not be affected by noise from a residential unit, regardless I do not consider the noise level associated with the three small residential flats to be significant. I am satisfied that the proposed development will not significantly impact on the existing amenity of the neighbouring properties and is acceptable.

Highways and Parking:

- 4.3.19 Policy T1 of the North Hertfordshire Local Plan states that "*planning permission will be granted provided that... development would not lead to highway safety problems or cause unacceptable impacts upon the highway network*".
- 4.3.20 Policy T2 states that "*planning permission will be granted provided that... proposal have regard to relevant Supplementary Planning Documents*".
- 4.3.21 The site benefit from 2 vehicle parking spaces, which would leave one of the flats without a parking space. In my view, given the sustainability of a town centre location within close distance to multiple bus stops and the train station and the inclusion of a cycle shelter, the under provision of vehicle parking space is considered acceptable.

Environmental Implications:

- 4.3.22 Section 14 of the NPPF sets out how the planning system should support the transition to a low carbon future. The principles set out in Section 14 are reflected in Policy D1 of the North Herts Local Plan, which sets out that development proposal should take all reasonable opportunities to reduce energy consumption and waste, retain existing vegetation and propose new appropriate planting, and future proof for changes in technology and lifestyle.
- 4.3.23 The proposed development is the conversion of an existing building and is predominantly hardstanding. As such it is exempt from BNG Legislation defined under article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. In my view, the proposed development would be unlikely to have any significant implications for the local environment in terms of carbon emissions and therefore would be generally in compliance with Section 14 of the NPPF and Policy D1 and NE4 of the Local Plan.

Waste

- 4.3.24 The unit is currently served by a bin storage area to the rear of the property. The current bin storage area is sufficient to accommodate the required residential bins.

Biodiversity Net Gain

- 4.3.25 The proposed development is considered 'de minimis' and would not exceed the threshold of 25 sqm of on-site habitat, or and/ less than 5 meters of linear habitats. This application is therefore exempt from BNG legislation defined under article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Other Matters

- 4.3.26 With regard to the neighbour comment received, no new side windows are being implemented, and I do not consider that a residential dwelling would lead to a significant increase in overlooking than is already given by the existing office use. HCC Highways have recommended a condition for a Construction Management and Demolition Plan which will ensure that the neighbouring Job Centre is not blocked.

4.4 Conclusion

- 4.4.1 The proposed development is considered acceptable and in accordance with Policies SP1, SP6, SP8, SP9, D1, D3, HE1, HS3, T1 and T2 of the NHLP 2011-2031 and Sections 2, 5, 12 and 14 of the NPPF 2023.

4.5 Alternative Options

- 4.5.1 N/A

4.6 Pre-Commencement Conditions

- 4.6.1 N/A

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 shall commence until a Construction Management & Demolition Plan 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 Plan shall include details of:
 - a. Construction vehicle numbers, type, routing
 - b. Access arrangements to the site;
 - c. Traffic management requirements
 - d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
 - e. Siting and details of wheel washing facilities;
 - f. Cleaning of site entrances, site tracks and the adjacent public highway;
 - g. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
 - h. Provision of sufficient on-site parking / and or local car parks prior to commencement of construction activities;
 - i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
 - j. 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, 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).

4. Prior to the first commencement of the development hereby permitted, a scheme for the parking of cycles including details of the design, level and siting as shown on drawing 05B shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is first occupied (or brought into use) and thereafter retained for this purpose.

Reason: To ensure the provision of cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport in accordance with Policies 1, 5 and 8 of Hertfordshire's Local Transport Plan (adopted 2018)

5. No development shall take place until a scheme for protecting the proposed dwellings from noise from road traffic has been submitted to and approved in writing by the local planning authority. The scheme shall be based on the recommendations identified in the Anglia Consultants Ltd report (Ref: A1719) dated 30th August 2024.

None of the dwellings shall be occupied until such a scheme has been implemented in accordance with the approved details and it shall be retained in accordance with those details thereafter.

Reason: To ensure adequate protection of the living conditions of future occupiers and to comply with Policy D1 of the Local Plan

6. Prior to occupation, the proposed car parking spaces shall incorporate an Electric Vehicle (EV) ready domestic charging points.

Reason: To contribute to the objective of providing a sustainable transport network and to provide the necessary infrastructure to help off-set the adverse impact of the operational phase of the development on local air quality.

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.

Informative/s:

1. 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 County Council website at:
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

2. 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 County Council website at:
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047

3. It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made-up carriageway, or any or other debris on a highway to the interruption of any highway user. 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 and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway.

Further information is available by telephoning 0300 1234047.

4. EV CHARGING POINT SPECIFICATION INFORMATIVE:

Each charging point shall be installed by an appropriately certified electrician/electrical contractor in accordance with the following specification. The necessary certification of electrical installation should be submitted as evidence of appropriate installation to meet the requirements of Part P of the most current Building Regulations.

Cable and circuitry ratings should be of adequate size to ensure a minimum continuous current demand for the vehicle of 16A and a maximum demand of 32A (which is recommended for Eco developments).

- o A separate dedicated circuit protected by an RBCO should be provided from the main distribution board, to a suitably enclosed determination point within a garage or an accessible enclosed termination point for future connection to an external charge point.
- o The electrical circuit shall comply with the Electrical requirements of BS7671: 2008 as well as conform to the IET code of practice on Electric Vehicle Charging Equipment installation 2012 ISBN 978-1-84919-515-7 (PDF). This includes requirements such as ensuring the Charging Equipment integral protective device shall be at least Type A RCD (required to comply with BS EN 61851 Mode 3 charging).
- o If installed in a garage all conductive surfaces should be protected by supplementary protective equipotential bonding. For vehicle connecting points installed such that the vehicle can only be charged within the building, e.g. in a garage with a (non-extended) tethered lead, the PME earth may be used. For external installations the risk assessment outlined in the IET code of practice must be adopted, and may require additional earth stake or mat for the EV charging circuit. This should be installed as part of the EV ready installation to avoid significant on cost later.

Signed  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 25 April 2025	