

CONSERVATION TEAM CONSULTATION APPLICATION RESPONSE

APPLICATION REF:	24/01639/FP & 24/01640/LBC
CASE OFFICER:	MT
APPLICATION SITE:	32 Sun Street Hitchin Hertfordshire SG5 1AH
DESCRIPTION OF WORKS:	Change of use to restaurant and hot food takeaway. Installation of ventilation system on the rear roof and enlarge existing roof light/roof hatch. (Development has commenced). Internal and external alterations to facilitate change of use to restaurant and hot food takeaway to include installation of ventilation system on the rear roof. (Development has commenced).

RECOMMENDATION:

Although the Heritage Statement says that the character of this backland area “*is one of functional servicing rather than heritage display*”, the installed extraction system nonetheless occasions a low level of less than substantial harm to no.32 Sun Street, the setting of nearby assets and to the appearance of the Hitchin CA. However, a convincing justification has been made in the submitted Heritage Statement. I conclude that whilst the implemented scheme falls short of satisfying Sections 16(2) (LBC only), 66(1) (FP only) and 72(1) (both), I note that the extraction system is purportedly the minimum size necessary to comply with Environmental Health requirements and enables a sustainable continued use of this heritage asset as a restaurant, thus, facilitating an optimum viable use. I, therefore, raise **NO OBJECTION** on the basis that the proposal will satisfies the aims of Section 16 of the NPPF and Policy HE1 of North Hertfordshire Local Plan 2011-2031.

Impact on no.32 Sun Street, the setting of other nearby listed buildings and upon the character and appearance of the Hitchin Conservation Area.

The proposal will have a small detrimental impact.

SITE CONTEXT:

The site context has previously been addressed in Place Services consultation response dated 22 November 2024. It is not my intention to address this again here.

DETAILED ANALYSIS AND CONSIDERATIONS:

I note that Place Services responded saying that the works have already been completed and can be divided into three main parts:

- *Internal alterations for restaurant use*
- *External alterations including enlarged rooflight and ventilation system on the rear roof*
- *Installation of externally illuminated fascia sign and hanging sign*

The internal works comprise a fit out for restaurant use. The main restaurant area is the more historic part of the ground floor, while the kitchen is located within the twentieth century addition.

These internal works include installation of a new bar, tiles to walls and oak cladding; black powder-coated light fittings, replacement kitchen and toilets; new bar and glazed windbreak by entrance; low-level panelling and bench seating along the existing walls; a curved wall separating the restaurant from the toilets and kitchen; repainting the walls and ceiling, new lighting, laying new LVT flooring and refinishing existing timber floor.

These works are in keeping with the existing character, are reversible and are not harmful in heritage terms.

Places Services went on to say:

It is understood that some type of ventilation is necessary for a restaurant use and that the rear of the property is relatively screened and so the flue is not prominent within the Conservation Area.

However, the flue is large and runs across the flat roof and is in proximity to a number of listed buildings on Sun Street, Bucklersbury and Market Place, which impacts the significance of the subject building and nearby listed buildings. There is no clear justification provided as to the size and design of the flue and whether this is an acceptable or commonly used ventilation system used by nearby restaurants, cafes etc or more generally on sensitive listed buildings. Further justification should be provided to demonstrate that the flue is acceptable in terms of impact on listed buildings.

The enlarged rooflight is in the more modern rear section of the kitchen, is not highly visible and is acceptable in in heritage terms.

A Heritage Statement was received on 11 April 2026 (indexed on 20 April). At 1.2 it says:

The extraction system is located on the flat roof of a single-storey rear extension constructed in the 1960s. This extension is not of historic significance in its own right, though it falls within the curtilage of the listed building. The system cannot be seen from Sun Street, Market Place, or any public vantage point.

Under **2.5 Summary of Key Significances related to the Extraction System**, I am particularly interested in the entry under 'Key Elements of Significance' which reads:

The backland area has been progressively infilled over the last century. Multiple roof-mounted plant items, AC units, and ductwork are already present across this area serving adjacent commercial businesses. The character is one of functional servicing rather than heritage display.

and the entry under 'Additional Comments' which reads:

The extraction system contributes to an established pattern of roof-mounted plant in this backland area. It is not visible from the public realm.

Further into the HS under 3.2 I note:

The installation of a commercial kitchen extraction system of this specification is a requirement of Environmental Health legislation for food service businesses in England. The system must comply with HVCA DW/172 (Kitchen Ventilation Systems), Building Regulations Approved Document F, and DEFRA Guidance (2010) on Air Discharge and Dispersion Principles.

*The extraction system is the **minimum size required** to serve a commercial kitchen of this nature. A reduced specification would not satisfy Environmental Health requirements and would render the restaurant unable to operate lawfully. The system is therefore an enabling requirement for the continued viable use of this heritage asset.*

I note that the new extraction system occupies openings previously used by the old ductwork and I have noted other plant equipment on roofs nearby. Any noise issues associated (if indeed there are any) are matters outside by expertise to comment. I

appreciate that this is a significant metal-cased extraction system with a 560mm discharge cowl. However, I have noted the HS conclusions and generally concur with its findings.

I have identified a small amount of heritage harm. This low level of less than substantial harm should, however, be weighed against the public benefits of the proposal including, where appropriate, securing this designated heritage asset's optimum viable use (para 215, NPPF). It is considered that this installation does secure an optimum viable use for this building.

HERITAGE POLICY ASSESSMENT:

Planning (Listed Building and Conservation Areas) Act 1990:

Sections 16(2), 66(1) & 72(1)

North Hertfordshire Local Plan 2011-2031:

Policy HE1

NPPF (December 2024):

The following paragraphs are relevant:

- **135 c)** (*sympathetic to local character and history, including the surrounding built environment*),
- **207** (*local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting*)
- **210** (*desirability of new development making a positive contribution to local character and distinctiveness*),
- **212** (*great weight should be given to the asset's conservation*),
- **213** (*clear and convincing justification*), and
- **215** (*harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use*).

CONCLUSION:

I find this proposal **UNOBJECTIONABLE**.

OFFICER: Mark Simmons

DATE: 15/07/2026