

DELEGATED FILE NOTE

CASE OFFICER: ...Andrew Hunter.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
24/01993/FP	Erection of scout hut attached to Church to include solar roof panels following demolition of existing scout hut. Alterations to existing car parking layout and access.	Our Lady And St Andrews Rc Church 16 Nightingale Road Hitchin Hertfordshire SG5 1QS

Submitted Plan Nos

EX001 EX002 EX003 PL001 PL002 PL003

1.0 Policies

D1	Sustainable design
D3	Protecting living conditions
D4	Air quality
HC1	Community facilities
HE1	Designated heritage assets
HE3	Non-designated heritage assets
NE2	Landscape
NE4	Biodiversity and geological sites
SECN12	Achieving well-designed places
SECN15	Conserve + enhance natural environment
SECN16	Conserve + enhance historic environment
SECN8	Promoting healthy and safe communities
SECN9	Promoting sustainable transport

SP1	Sustainable development in North Herts
SP12	Green infrastructure, landscape and biod
SP13	Historic environment
SP10	Healthy Communities
SP2	Settlement Hierarchy and Spatial Distrib
SP6	Sustainable transport
SP9	Design and Sustainability
T2	Parking
T1	Assessment of transport matters
SPDVP	Vehicle Parking at New Development

2.0 **Site History**

- 2.1 18/01946/FP - Erection of two storey church hall following demolition of existing scout hut. Alterations to the car park layout and access. (as amended by drawings P001A, P002A and P003A received 23/10/2018) – Approved 15/11/18.
- 2.2 17/01984/1 - Single storey extension – Approved 05/10/17.
- 2.3 06/00681/1 - Replacement scout hall – Approved 07/07/06.
- 2.4 77/01150/1 - Erection of prefabricated hut for youth, scout and guide activities – Approved 01/12/77.

3.0 **Representations**

- 3.1 **Highways Officer** – Does not wish to restrict the grant of permission.
- 3.2 **Env. Health** – No objections or comments.
- 3.3 **Ecologist** – No ecological objection.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The site comprises a detached timber scout hut with a pitched roof, a shipping container near the back of the hut, with the remainder of the site comprising parking spaces. A Pine tree is also near the north boundary of the site.
- 4.1.2 The adjoining site in the black-edged area is a church, homeless charity drop-in centre (used presently only on Wednesdays), and a clothes shop. Dwellings and a police station are to the north on the other side of College Road. Dwellings are also to the east. A day service for older people is to the west. The site is on the edge of the main central area of Hitchin, which has a mixed commercial and residential character.
- 4.1.3 The site is in the Hitchin Conservation Area, the boundary of which is with the north of the site. The east wing of the nearby church is a Building of Local Interest.

4.2 **Proposal**

- 4.2.1 The proposal is for the demolition of the existing scout hut, and a replacement with a pitched roof that would be attached to the church to the south (with the new building extending further south than the existing). The new hut would be of a more contemporary design and appearance, with brick walls and red/brown plain tiled roof.
- 4.2.2 The parking area west and south of the existing hut would be reduced in size and reconfigured, with new parking spaces are proposed north of the new hut. A Pine tree in the site would be removed.

4.3 **Key Issues**

- 4.3.1 The key material considerations are whether the principle is acceptable, character and appearance, impacts on neighbour amenity, access and parking, trees and landscaping, and ecology.

Principle

- 4.3.2 The site is in Hitchin, a main Town in the District, where there are no objections in principle to new development under Policy SP2.
- 4.3.3 The scout hut is considered to be a community facility under Local Plan Policy HC1, which states where the loss of such a facility is proposed:

The loss of community facilities will only be permitted where this is justified by:

- i. the provision of replacement facilities, either on site as part of the development proposal or in an alternative appropriate location;*
 - ii. showing that there is no local need for the facility or service and that any appropriate, alternative community use of the existing premises to meet local needs is not required; or*
 - iii. demonstrating that the facility, or any reasonable replacement, is not, and will not be viable on that site.*
- 4.3.4 In this case the application proposes a replacement scout hut, which would be on the same site. The new hut would also provide a new building with improved facilities. The proposal is considered acceptable in principle, and complies with Policies SP2 and HC1 of the Local Plan.

Design

- 4.3.5 There are no objections to the demolition and removal of the scout hut and the shipping container, as neither are of architectural or historic merit. There would also be benefits from removing the container as it's out of character with its surroundings.
- 4.3.6 The new scout hut would have a larger footprint and floorspace than the existing, would be attached to the church, its ridge height would increase from approx. 5m to 5.9m, and its eaves height would increase from 2.6m to a maximum of 4m on its north elevation and 3.1m on its south elevation.
- 4.3.6 While the new building would be larger, it would also be set back further from College Road by more than half the width of the existing building. This greater set-back is considered to overcome the more imposing north elevation due to its higher eaves height of 4m. The proposed eaves height on this elevation are not however considered out of character as they will be read in association with the adjoining church which has higher eaves.
- 4.3.7 The new hut would be attached to a single storey projection with a flat roof to the church, and is considered to be of a form and design that would relate acceptably to the character and appearance of the church. The church is a Building of Local Interest, and the proposal is not considered harmful to its status as a non-designated heritage asset.

- 4.3.8 The external materials of the new hut would be bricks to match the adjacent church buildings, and red/brown plain tiles. These materials are considered to be an improvement to the existing timber cladding and asbestos roof. It's not known what these materials would look like, therefore further details would be required by condition if permission was to be granted. The solar panels will have limited visibility and impacts due to their siting and design, and will have further benefits of reducing expected carbon emissions.
- 4.3.9 The proposed development is not considered harmful to the character and appearance of the site and locality as it would be of good quality and not of an excessive size and height. The proposal complies with S72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and will not harm the significance of the Conservation Area. The design is considered acceptable. The proposal complies with Policies D1 and HE1 of the Local Plan, and Sections 12 and 16 of the NPPF.

Neighbour amenity

- 4.3.10 The buildings in the black-edged area that adjoin the site are a church, homeless charity, and a clothes shop. These are not residential properties, and it's not considered in any case that the new scout hut would adversely affect them.
- 4.3.11 The closest dwelling is No. 9 Grove Road to the NE. This is opposite the site and has a hedge around its south boundary. As the proposed new hut would be sited further back than the existing and due to the hedge around No. 9, it's not considered that the proposal will adversely affect the amenity of No. 9.
- 4.3.12 The proposed development is considered too far from other dwellings to adversely affect them, and will also be obscured by adjoining buildings. The use of the building in the application form is stated as F2, which can include a variety of potential uses such as a shop, sport etc. In the interests of local amenity, it's considered that the use of the building should be restricted by condition to be a scout hut. Impacts on amenity are therefore acceptable. The proposal complies with Policy D3 of the Local Plan.

Parking and access

- 4.3.13 The site contains 31 parking spaces, with an additional 3 disabled parking spaces. The proposal will result in 27 parking spaces, including two disabled spaces. There would therefore be a loss of 7 spaces in total, with one disabled space lost.
- 4.3.14 The Council has a parking SPD from 2011, with the church and scout hut uses considered to be D1 and D2 respectively under the Use Classes Order before its update in 2020. D1 places of worship have maximum parking standards of 1 space per 10 sqm gfa. The scout hut can be considered to be classified as a miscellaneous cultural building in the SPD, which has maximum parking standards of 2 spaces plus 1 space per 30 sqm of public floorspace.
- 4.3.15 The above parking standards are maximums not minimums. A reasonable amount of parking is considered to remain, and given the location of the site in central Hitchin with access by public transport, cycling and walking, the proposed parking provision is considered sufficient.

4.3.16 Both uses have minimum cycle parking standards of 1 space per 4 staff plus visitor parking on individual merit. The development would not reduce cycle parking for the church, therefore it is not considered that new cycle parking should be provided for the church. One cycle hoop is proposed for the new scout hut, which would be an improvement on the existing and is acceptable.

4.3.17 Internal manoeuvring for the altered car park west of the new scout hut is considered acceptable. The 10 new parking spaces proposed north of the scout hut will effectively result in new accesses off College Road. The highways officer has not objected to this as College Road is a private road, and as this parking is not considered to adversely affect the public highway network. I do not see any reasons to disagree. Parking and access are considered acceptable. The proposal complies with Policies T1 and T2 of the Local Plan, and Section 9 of the NPPF.

Trees and landscaping

4.3.18 The proposal will result in the removal of an existing cypress tree. The tree is considered to be maturing, although is not of a visual quality or height of such significance that it's considered that it should be retained. Therefore there are no objections to the removal of the tree.

4.3.19 The proposal will result in the loss of a small grass strip that adjoins the north side of the hut, although a new grassed area is shown on the proposed site plan which is considered would be sufficient compensation. Given that the site is largely covered by hardstanding, the scout hut and shipping container, proposed landscaping is acceptable. The proposal complies with Policies NE2 and NE4 of the Local Plan.

Ecology

4.3.20 The application was submitted with a bat survey that did not find evidence of bats or their roosts, albeit some parts of the scout hut were not able to be completely surveyed. No other protected species or their habitats are considered likely to be present. The Council's Ecologist has advised a condition be attached to any permission granted requiring a licence or confirmation that a licence is not required in respect of impacts on bats prior to demolition (which will be altered to refer to the scout hut only).

4.3.21 The proposal is subject to the statutory requirement to provide a Biodiversity Net Gain. A BNG assessment states the development would provide more than the 10% gain required which is acceptable, and the decision will in any case be subject to the statutory BNG condition. Impacts on ecology are acceptable. The proposal complies with Policy NE4 of the Local Plan and Section 15 of the NPPF.

4.4 **Conclusion**

4.4.1 In the absence of material planning reasons to the contrary it is my view that planning permission is **GRANTED**.

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. Details and/or samples of materials to be used on all external elevations and the roof of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before the construction of the building is commenced (excluding demolition) and the approved details shall be implemented on site.

Reason: To ensure that the development will have an acceptable appearance which does not detract from the appearance and character of the surrounding area and to comply with Policy D1 of the North Hertfordshire Local Plan 2011 to 2031.

4. The approved development shall be used for the purposes of a scout hut or other hall or meeting place for the local community under Use Class F2 of The Town and Country Planning (Use Classes) Order 1987 (as amended on September 2020), and for equivalent uses in any further amended or new Use Classes Order or similar legislation.

Reason: To control potential uses of the new building in the interests of local amenity. To comply with Policy D3 of the Local Plan.

5. Demolition of the scout hut shall not in any circumstances commence unless the local planning authority has been provided with either:
 - a) a licence issued by [the relevant licensing body] pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2010 authorizing the specified activity/development to go ahead; or
 - b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.

Reason: In the interests of ecology. To comply with Policy NE4 of the Local Plan and Section 15 of the NPPF.

Biodiversity Net Gain

1. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:
 - (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
 - (b) the planning authority has approved the plan.The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be North Hertfordshire District Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply (<https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>).

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

Proactive Statement:

1. 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.

Signed  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 3 December 2024	