

DELEGATED FILE NOTE

CASE OFFICER: ...Melissa Tyler.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
24/02500/FP	Change of use to form two retail units (class E) and six one-bed and one 2-bed flats including alterations to fenestration.	23 High Street Royston Hertfordshire SG8 9AB
<u>Submitted Plan Nos</u>		
1097 - 01B 1097 - PL01C 1097 - PL02 B 1097 - PL03 A 1097 - PL04 B 1097 - PL05 1097 - PL06 1097 - PL07 1097 - PL08 1097 - PL10		

1.0 **Policies**

D1 Sustainable design

D2	House exts, replcmnt dwellings outbuild
D3	Protecting living conditions
ETC4	Primary Shopping Frontages
HE1	Designated heritage assets
HE4	Archaeology
HS3	Housing mix
IMR1	Five Year Housing Land Supply
NE4	Biodiversity and geological sites
SECN12	Achieving well-designed places
SECN11	Making effective use of land
SECN16	Conserve + enhance historic environment
SECN6	Building strong, competitive economy

SECN7	Ensuring vitality of town centres
SECN9	Promoting sustainable transport
SP4	Town Centres,Local Centres,CommunityShop
SP8	Housing
SP9	Design and Sustainability
SPDVP	Vehicle Parking at New Development
T2	Parking

2.0 **Site History**

2.1 Extensive history relating to former use as a bank – see file

3.0 **Representations**

3.1 Site Notice / Adjoining occupiers:

21 High Street – raised concerns regarding storage facilities for waste and deliveries; bike storage; parking; mains drainage issues; disabled access to shops; fire escape provision

3.2 **Royston Town Council:** raised an OBJECTION to this application for the following reasons

' There is no disabled access into the shops and a ramp should be provided

' The waste disposal facilities for the shops are inadequate

' There is minimal natural light and ventilation in the basement flat and it is unsuitable for use as habitable accommodation

*' Rear windows on the property are not in-keeping with neighbouring properties
' Bat boxes and swift bricks should be installed at the property to aid biodiversity
' Bike storage is inadequate for 7 flats
' There appears to be a room at the front of the basement flat and its intended use is not shown in the plans*

In light of the objection by the TC no ward councillor wish to call the application in to be heard at Planning committee

3.3 **Conservation Officer:** *No objection subject to conditions*

3.4 **HCC Historic Environment Advisor:** *In this instance we have no comments to make.*

3.5 **Herts Highways** - Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following condition

Access: The property benefits from access on the High Street (for the new retail units) and from King Street to the rear for the flats. A redundant emergency stairwell, also giving out onto King Street, provides space for cycle and refuse bin storage.

Parking: As parking authority, the LPA will determine whether the proposed parking arrangements are appropriate for the scale of development. The Highway Authority acknowledges that the parking requirements are effectively reduced by the change of use, and that this is a sustainable town centre location where minimum parking standards need not apply.

Sustainability: The Highway Authority recognises that this is an accessible location (as set out in the Design, Access and Heritage Impact Statement), offering a variety of services within walking and cycling distance, along with viable public transport options.

Emergency Vehicle Access: The location satisfies the requirement under MfS 6.7.2 that fire appliances must be able to get within 45 meters of the entrance in an emergency.

Refuse and Recycling: The location satisfies the requirements for waste disposal and recycling under MfS 6.8.9 (that residents should not be required to carry waste more than 30m, and that collection vehicles must be able to get within 25m of the kerbside/bin collection point).

3.6 **Environmental Health**

Contaminated Land: *The Environmental Protection and Housing Team have no objections to the proposed development in relation to land contamination.*

Noise: *The Environmental Protection and Housing Team have no objections to the proposals in relation to noise and other nuisances. However, there is a concern in relation to noise from the class E use on the ground floor potentially affecting any future residential occupants. I note that the plans indicate a concrete floor to the ground floor (above the basement) which should be adequate. Additionally, the plans refer to a suspended ceiling to the ground floor 'retail' use. However, there is little further information that I can see.*

The application form states that the use class will be E(a) – Display /Sale of goods other than hot food and that the hours of opening are relevant to this proposal, although no hours are suggested on the form. To this end, and not knowing the performance of the ceilings/floors in

terms of noise transmission, I think it would be prudent to limit the class use to retail or office (i.e. not restaurant or café) and perhaps limit the hours also (perhaps 8am to 6/7/8pm?)

Local Air Quality: No comment.

3.7 Waste – concerns over binstore

4.0 Planning Considerations

4.1 Site and Surroundings

4.1.1 Detached former bank premises located on the High Street. Grade II . The site is located within the Town centre and Conservation Area.

4.2 Proposal

4.2.1 Planning permission is sought for the change of use to form two retail units (class E) and six one-bed and one 2-bed flats including alterations to fenestration.

4.2.2 The two shop units will have floor space of around 48 sq metres. Access to these uniites will use the same front entrance with steps up to two individual doors either side of corridor.

4.2.3 Basement – Unit 1 - 1 bed flat of 62 sq metres
Communal bike storage area
Ground floor – Bin storage and entrance to flats from rear
2 commercial units
Unit 2 - 1 bed flat of 47.2 sq metres
First floor - Unit 3 - 1 bed flat of 56.7 sq metres
Unit 4 - 2 bed flat of 104 sq metres (duplex)
Unit 5 – Studio flat of 39 sq metres
Second Floor – (upper floor of unit 4)
Unit 6 1 bed of 54.8 sq metres
Unit 7 – Studio of 44.8 sq metres

4.3 Key Issues

4.3.1 The key issue is the impact of the proposals on the character and appearance of the area and the impact on the heritage asset.

Principle of Development

4.3.2 Policy SP2 of the Local Plan states that the majority of the district’s new housing will be focused in towns, which is echoed in Policy SP8. The site is located in the middle of Royston Town Centre, which is an urban and sustainable area within close proximity to a variety of shops, schools and public transport links. It is well known that other upper floor units in Royston Town Centre have been converted into residential use.

- 4.3.3 Therefore, in my opinion, given the surrounding pattern of development of residential units within in upper floors above commercial units and the sites location in a sustainable urban area, the principle of development is acceptable and in accordance with Policy SP2 and SP8 of the Local Plan

Impact on the character and appearance of the area

- 4.3. The proposed external works are minor and consist of replacing windows. I note concerns raised by Town Council, however, in my view would have no material impact on the character and appearance of the area. The internal works would obviously have no impact on the area.

Impact on the heritage assets

- 4.3. Within a Conservation Area, the Council has a duty to pay special attention to the desirability of preserving or enhancing the character or appearance of that area, in accordance with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which requires that in the exercise of planning powers, in conservation areas “*special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area*”. In addition, Section 66(1) requires that when considering whether to grant planning permission for development which affects a listed building or its setting, special regard shall be had to the desirability of preserving the building or its setting.
- 4.3. The heritage assets affected are the Royston Conservation Area and the Grade II listed building itself (No. 23) .

The planning history for the building is documented within the applicant’s supporting statement, which highlights that the majority of the building is not of any historic or architectural significance, having been almost entirely rebuilt in the early 1980s, with only the building’s façade retained (reference: planning application 79/01734/1LB). Internal photographs have been provided by the applicant which highlight that the interior is largely constructed from blockwork or Fletton brick which has no historic or architectural interest. The rear of the building faces onto King Street, a road which runs parallel to the High Street and is a mixture of rear and primary entrances to buildings, creating a varied streetscape. On this elevation the building has no historic or architectural interest and is a very bland brick building featuring four windows at ground floor level flanked by tall doorways, there are five windows above. Consideration must still be given to the alterations made to this elevation, however, due to the importance of the street within the Conservation Area.

As part of this proposal, the works will reorganise the internal space, creating new residential accommodation whilst maintaining two retail units on the ground floor. As 23 High Street was purpose built as a bank, the retention of the commercial unit is important to the significance of the building.

The proposals are acceptable in principle, as no historic fabric will be harmed, nor will the alterations harm the significance of the building, all of which is within its retained façade. The following conditions are recommended to ensure the development does not prejudice the Grade II listing of the building or the special interest of the Royston Conservation Area and the

building's High Street elevation. Note that the use of uPVC windows should not be supported within the Conservation Area or on a listed building and all new or replacement windows should be either aluminium or timber, irrespective of the quality of the rear elevation.

- 4.3. In terms of the impact on the conservation area, again the external works removals are very minor in nature and will not adversely affect the appearance of the building or the character and setting of the Conservation Area at this location.

In summary, the works are considered to have a neutral impact on the historic character and setting of the listed building and conservation area and as such are acceptable in planning terms.

Impact on Future Occupiers/Neighbours

- 4.3.9 The proposed units will be accessed via an existing pedestrian access at the rear of the property, which is appropriate in my view. The units have been designed to meet and exceed the nationally described space standards as stated above. Therefore, it is considered that the unit will be suitable to provide a good standard of amenity to potential future occupiers.

- 4.3.10 I note concerns raised by Town Council in terms of liveability of the basement flats. The Agent has submitted the following details

The 2 habitable spaces have natural light with the addition of the windows to the bedroom and living areas. Although not very large these do provide the natural light to the areas. The position of these in relation to the floor level is not an issue as rooflights can be accepted for natural light in developments. With regards to the ventilation, this would need a MVHR system to comply with building regulations. These units are compact and would only need 100mm diameter vent outlets to the outside. There is currently a ventilation brick that can be utilised for this, see attached. The whole system can be fitted within the ceiling void and as such would not need LB or PP. Furthermore, the reuse of the redundant space in the basement provides an additional unit that makes the project viable. Without the additional unit the project may not be viable and result in unused redundant space. Although the flat has not got views it is a functional habitable unit. The ventilation requirements are controlled by the building regulations along with fire safety. I can see no reason for this space not to be converted.

- 4.3.10 Environmental Health (Noise) has expressed no objection over the proposed residential use with respect to noise/nuisances as the accompanying Planning Statement proposes suitable insulation to meet the required levels. Following advice from EH restriction on opening hours condition has been recommended in conjunction with hours stated on the application form.
- 4.3.11 In my view, given the basement and upper floor nature of the proposed units and the Town Centre location, the proposal is unlikely to result in any material harm upon neighbouring properties.
- 4.3.12 As such, the proposal is deemed compliant with Policy D1 and D3 of the Local Plan and Section 12 of the NPPF.

Waste

- 4.3.13 Following concerns raised by Waste Team and Town Council in terms of provision of waste facilities the plans were amended. The agent submitted the following response

The client has considered the comments made during the consultation period regarding the storage of bikes and provision for refuse bins. Whilst the previous occupiers of the building used to keep large wheelie bins on the rear pavement, we have taken the opportunity to provide an internal storage space in the only level access floor space. We have adjusted the plan, with small adjustments to the basement and ground floor rear residential units, to increase the bin storage area and move the bike storage to the basement.

The small retail units will have regular waste removed by commercial contract. Deliveries will be from the front using the allocated spaces.

Parking

- 4.3. Following consultation with Hertfordshire County Council as Highway Authority, the following comments were received *“the proposed level of development would not generate traffic movements that would have an unreasonable impact on the safety and operation of the wider highway network. Subject to the condition and informatives set out above, therefore, it offers no objections on highway grounds”*.
- 4.3. The proposed development does not look to provide any parking spaces, which is contrary to Policy T2 of the Local Plan and the Vehicle Parking at New Developments SPD. However, the site is located within close proximity to a number of public transport links, including Royston Train Station. Therefore, I do not consider it appropriate to object to this proposal on the grounds of its lack of parking provision, as this site is within a very sustainable location. There is secure cycle parking shown in the basement for all flats. I have recommended a condition to provide further details.

4.4 Conclusion

- 4.4.1 The proposal is considered acceptable in planning terms and in accordance with Policies SP2, SP8, D1, D3 and HE1 of the Local Plan, as well as Section 12 and 16 of the NPPF.

4.5 Alternative Options

- 4.5.1 None applicable

4.6 Pre-Commencement Conditions

- 4.6.1 The agent is in agreement to the proposed pre-commencement condition.

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 Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Statement. The purpose of the CMS is to help developers minimise construction impacts and relates to all construction activity both on and off site that impacts on the wider environment. It is intended to be a live document whereby different stages will be completed and submitted for application as the development progresses. A completed and signed CMS must address the way in which any impacts associated with the proposed works, and any cumulative impacts of other nearby construction sites will be mitigated and managed. The CMS would need to include elements of the Construction Logistics and Community Safety (CLOCS) standards as set out in our Construction Management template, including but not limited to:
 - 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. Timing of construction activities, including delivery times and removal of waste, and to avoid peak traffic times;
 - f. Provision of sufficient on-site parking prior to commencement of construction activities, and/or details of alternative arrangements for employees to travel to site;
 - g. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
 - h. 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. Hours of use of the two commercial units (Class E(a) Display/Sale of goods other than hot food) shall only be permitted between 0800hrs and 2000hrs Monday to Sunday.

Reason: To protect the residential amenities of existing residents.

5. The premises hereby permitted shall be used for E(a) Display/Sale of goods other than hot food.

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

6. Prior to the first occupation of the development hereby permitted, the details of secure cycle storage for all residential units shall be submitted to and agreed in writing by the Local Planning Authority and provided on site and retained thereafter.

Reason: To comply with the requirements of the Vehicle Parking SPD.

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 positive engagement with the applicant during the determination process 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. AN1) 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 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.

Signed  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 2 April 2025	