DELEGATED FILE NOTE

CASE OFFICER: ...Anne McDonald.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
18/00524/FP	Alterations and Conversion of Grade II listed Hotel and Public House to form 5 residential units, resizing of existing commercial space and construction of associated cycle and refuse storage within car park. Demolition of existing steel stair/gantry and single storey side extension. (Amended plans received 30/04/18, 30/05/18 and 10/09/18).	8 Whitehorse Street Baldock Hertfordshire SG7 6QN

Submitted Plan Nos

EW-1705-001A EW-1705-103B EW-1705-110A EW-1705-111A EW-1705-112A EW-1705-202E EW-1705-203D EW-1705-210D EW-1705-211E EW-1705-212D EW-1705-200D EW-1705-101B EW-1705-102B EW-1705-100B EW-1705-201E 215 1705/301/A EW-1705-303A EW-1705-302A

1.0 Policies

LP26	Housing Proposals
LP8	Development in Towns
SECN16	Conserve + enhance historic environment
XD1	Sustainable Design
XD3	Protecting Living Conditions
XD4	Air Quality

2.0 Site History

2.1 There is an extensive planning history for this site. Of relevance is application 16/02985/1 for the part change of use of the building retaining the public house & restaurant at ground floor with the conversion of the upper floors to flats, which was withdrawn, and pre-app 17/01282/1PRE for the conversion of the building into one retail unit and 6 flats.

3.0 Representations

3.1 The application was advertised with press and site notices and individual neighbour letters.

3.2 **HCC Hertfordshire Highways** – no objection subject to an informative.

3.3 **HCC Archaeology** – no comment.

3.4 **NHDC Conservation Officer** – no objection subject to conditions.

3.5 **NHDC Environmental Protection** – no objection subject to conditions.

3.6 **NHDC Environmental Health** – no objection subject to condition and informatives**.**

3.6 **NHDC Waste** – comments.

4.0 Planning Considerations

4.1 **Site and Surroundings**

4.1.1 The application site is an unused public house with hotel above situated on the south side of Whitehorse Street, close to the junction with the High Street. The building fronts onto the back edge of the pavement, and has driveway to the south-west side, which gives access to the rear yard area. The building is part two storey and part three storey in height and is a listed building. There are photos in Anite.

4.2 **Proposal**

4.2.1 The application is seeking full planning permission for the change of use of the building from a public house and hotel to a commercial unit and 5 residential flats. The plans show:

- The demolition of the single storey toilet block and external steel staircase.
- Ground floor – the front two thirds of the ground floor is to form a commercial unit. The applicant has stated that this is to be in restaurant use. The rest of the ground floor is to from a two bedroom and two bathroom flat which is 86.6m2 in floor space.
- The site layout plan shows that there is to be a private courtyard garden provided for flat 5, 8 parking spaces, an enclosed bin store and a cycle store area.
- At first floor level there are flats 1, 2 and part of flat 3 which is spread over two floors. Flats 1 and 2 are both one-bed flats and flat 3 has a kitchen, shower room, bedroom and living room on this floor with a steep internal staircase up to a second bedroom with an en-suite in the front section of the old part of the building at second floor level.
- At the rear at second floor level there is flat 4 which is a two bedroom and two bedroom flat with a larger lounge / kitchen room.

4.2.2 The plans also detail the works to the windows, which is a combination of replacement with modern double glazing, or repairing and the use of secondary glazing at many of the windows. Internal ventilation details are also included.

4.2.3 In support of the application a Design and Access Statement, Heritage Statement and Noise Impact Assessment have all been submitted.

4.2.4 DAS – this sets out the planning history for the property, the proposed works and the policy background and sets out there is no objection to the application.

4.2.5 Heritage Statement – this sets out the historical significance of the building and details the works.

4.2.6 Noise Impact Assessment – this concludes that future residents will not be adversely affected providing the mitigation measures are implemented to the relevant sensitive rooms.

4.3 **Key Issues**

- There is no objection to the principle of this proposal.
- The building is within the town centre location of Baldock where there is no objection to the creation of flats in the rear section and at first and second floor level of existing buildings within the town centre area. Baldock town centre is characterised with a mix of retail / business units and residential flats so there is no objection to the introduction of this mix in this location.

- Historically there has been a public house use in the building for many years. The application is keeping a commercial unit in the front half of the ground floor part of the building. It is likely that this will change to more of a restaurant use. There is no objection to this, as this use will generate less noise disturbance to the flats. I note that the facilities, such as kitchen space, vents and ducts and so on, for this use are not shown within the application and a separate application for this will be required. An informative is recommended to cover this issue.
- In my view, the proposed works are sympathetic to the building. The application has been subject to extensive negotiation and amended plans have been received. The key issues have been making good use of the internal space without needing too many internal doors or changing of walls whilst the works meet the environmental health concerns with regards to noise impact. This has now been achieved and both the Conservation Officer and the Environmental Health Officer are recommending no objection subject to conditions.
- I note that the flat size of flats 1 and 2 are small. Flat 1 has an internal size area of 37.08 sqm whilst flat 2 has an internal area of 43.16. A double bed is shown in each flat, which indicates that these are one bedroom two person flats although the plans state that they are one bedroom one person flats. The 'Technical housing standards – nationally described space standards' advise that a one bedroom two person flat should be a minimum of 50sqm and a one bedroom one person flat should have a size are of 39sqm. Given that there is no control over who purchases or occupies the flats (whether it be a couple or single person), it cannot be controlled if one or more people will live in the property. However, as this is a listed building and the flats are making the best use of the existing room layout, I consider that this flat size is acceptable in this instance and future occupiers can take the flat size into account before purchasing the properties.
- Flat 3 has an internal space size of 75.88. Flat 4 is 81.4 sqm and Flat 5 is 86.6 sqm. These are all two bedroom four person properties. The space standards state that these should have a minimal internal area of 70 sqm. These flats all meet this and no objection is raised on this basis.
- Externally flat 5 is to have its own private outdoor courtyard garden area and no external outdoor amenity space is being provided for the other four flats. I have no objection to this layout. Whilst a small shared courtyard garden serving all the flats would have been nice, given that this is a town centre location, with local parks in close proximity to the site, and that the application is making use of an existing building and site, I raise no objection to a lack of amenity space being providing for four flats, whilst one has a private garden space. Amenity space is an issue that future occupiers can take into account when deciding to living in the building or not.
- Also externally a cycle store, bin store and 8 parking spaces are proposed. This will most likely be allocated to two spaces per two bed flat and one space per one bed flat. This is in accordance with the Council's Car Parking Standards and no objection is raised to this. I note that a reduced parking allocation can be permitted within town centre locations and that this site is in walking distance to the train station, the High Street and large Tesco supermarket. However, given the east / west links across the District by public transport are not as good as links to Cambridge or London, the developer anticipates that future occupiers are likely to be car owners and will want off street parking. No objection is raised to this in this instance.
- The future occupiers will have to drag bins out to the curbside for collection. There is no objection to this as this is standard practice.
- I note that this building is also within the Baldock Conservation Area. Externally there will be minimal changes to the building, which are the repainting / replacement of windows and the addition of a small number of grilles with vents behind for internal air flow. There is also to be new gates towards the rear end of

the building in front of the car park. In my view, these works will not have harm on the setting or context of the Conservation Area.

- The details of the bin and cycle store have been provided, and there is no objection to these details. The details of the gates across the car park have not been provided and a condition is recommended to cover these details.

4.4 **Conclusion**

4.4.1 The application is considered to make good use of an existing listed building, bringing a viable use to it in the long term after it has been left vacant for several years. The works are sympathetic, and the application is considered to comply with the necessary provisions of the existing and emerging local plan and is recommended for conditional permission.

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. (a) No development approved by this permission shall be commenced prior to the submission to, and agreement of the Local Planning Authority of a written preliminary environmental risk assessment (Phase I) report containing a Conceptual Site Model that indicates sources, pathways and receptors. It should identify the current and past land uses of this site (and adjacent sites) with view to determining the presence of contamination likely to be harmful to human health and the built and natural environment.

   (b) If the Local Planning Authority is of the opinion that the report which discharges condition (a), above, indicates a reasonable likelihood of harmful contamination then no development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:

   (i) A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;

   (ii) The results from the application of an appropriate risk assessment methodology

(c) No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report; if required as a result of (b), above; has been submitted to and approved by the Local Planning Authority.

(d) This site shall not be occupied, or brought into use, until:

(i) All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (c) above have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.

(ii) A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.

(e) Any contamination, other than that reported by virtue of condition (a) and (b), encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to and agreed by, the Local Planning Authority and subsequently fully implemented prior to the occupation of this site.

Reason: To ensure that any contamination affecting the site is dealt with in a manner that safeguards human health, the built and natural environment and controlled waters.

4. A sample panel indicating brick type, bond and mortar mix for the new wall forming the rear garden to Flat 5 shall be erected on site and shall be made available for inspection and approved by the Local Planning Authority prior to the commencement of the above ground construction works for the new wall.

Reason: To safeguard the setting to the Rose & Crown and to preserve the appearance of the Baldock Conservation Area.

5. The details of the gates across the car park are to be submitted to, and agreed in writing by, the Local Planning Authority and only the approved details are to be implemented on site.

Reason - to ensure the details are acceptable.

6. Prior to first occupation of the dwellings, the noise mitigation measures detailed in the plan drawings by Pickle Planning (reference numbers ESW-1705-210 E, ESW-1705-211 E, ESW-1705-212 D, ESW-1705-301 A, ESW-1705-302 A and ESW-1705-303 A), namely glazing and ventilation specifications, and in section 11.1 of the Airtight & Noisecheck Ltd report reference 16294 dated 11th January 2018 (Noise Impact Assessment for The Rose & Crown Hotel, 8 Whitehorse Street, Baldock, SG7 6QN), namely sound insulation works to the separating ceiling floor front, shall be fully implemented. Once implemented, the scheme of measures shall be maintained in accordance with the details in perpetuity.

Reason: to protect the residential amenities of future occupiers of the development.

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 (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Informative/s:

1. Commercial Unit Informative:

   This permission does not include any details regarding any internal and external ducts or vents required by the commercial unit and a separate planning application will be required for any such items on site.

2. Highways Informative:

   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 website: https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspxor by telephoning 0300 1234047.

3. Environmental Health Informatives:

   1. During the conversion phase the guidance in BS5228-1:2009 (Code of Practice for noise Control on construction and open sites) should be adhered to.

   2. During the conversion phase no activities should take place outside the following hours: Monday to Friday 08:00-18:00hrs; Saturdays 08:00-13:00hrs and Sundays and Bank Holidays: no work at any time.

Signed Simon Ellis Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF

Date: 12 September 2018	