

Development and Conservation
North Hertfordshire District Council
PO Box 10613
Nottingham
NG6 6DW



planning.control@north-herts.gov.uk

10th March 2025

Dear Sir/Madam,

**Town and Country Planning (General Permitted Development) (England) Order 2015
(as amended) - Schedule 2, Part 3, Class MA**

The Exchange, Queen Street, Hitchin, SG4 9TW

Proposal for Change of use from Commercial, Business and Service (Use Class E) to
Dwellinghouses (Use Class C3)

1) THE SITE AND SURROUNDING AREA

The site is located on Queen Street within an area immediately surrounding the property being residential and commercial area in character, predominately being located within Hitchin town centre. The frontage overlooks a large public car park, St. Marys car park. The application site comprises of a commercial unit, on the lower ground and ground floors; its last use being occupied by a Gym business, Use Class E.

A residential block, Balliol Chambers mirrors the The Exchange on the corner of Queen Street and Hollow Lane with residential dwellings containing along the streetscape. The site is not within a Conservation Area, nor is it a listed building, being built in the 1960's. Additionally, the site is not covered by any Article 4 Directions.

The site is located within walking distance of Hitchin train station (1km) which provides regular services to London Kings Cross and underground services and Cambridge. In addition, there are various local bus services. Refer to the Transport Note for further details.

2) PLANNING HISTORY

A review of North Hertfordshire District Council's planning register revealed the following planning history available online relating to this site.

Reference : 24/02058/FP

Description : Alterations to fenestration to lower ground floor front elevation

Date of Decision: 06.11.2024

Decision: Conditional Permission

Reference : 24/01952/S73

Description : Removal of condition 3 (Electric Vehicle ready domestic charging point) of prior approval class MA 24/01306/PNMA granted 08.08.2024 for Conversion to 24 self-contained 1-bed residential units with associated cycle and refuse/recycling provisions.

Date of Decision: 21.10.2024

Decision: Conditional Permission

Reference : 24/01306/PNMA

Description : Conversion to 24 self-contained 1-bed residential units with associated cycle and refuse/recycling provisions.

Date of Decision: 08.08.2024

Decision: Prior Approval Given

Reference : 24/00514/FP

Description : Alterations to fenestration and new fenestration on front, side and rear elevations

Date of Decision: 24.04.2024

Decision: Grant Permission

Reference : 23/02718/FP

Description : Alterations to fenestration and new fenestration on front, side and rear elevations

Date of Decision: 09.01.2024

Decision: Refused

Reference : 23/02630/PNMA

Description : Conversion to 29 self-contained 1-bed residential units with associated cycle and refuse/recycling provisions.

Date of Decision: 09.01.2024

Decision: Prior Approval Refused

Reference : 93/01226/1TD

Description : Erection of mast to support 12 antennas,

Date of Decision: 23.11.1993

Decision: Required

Reference : 94/00537/1TD

Description : 3 no. 4m mast supporting 12 antennas

Date of Decision: 09.06.1994

Decision: Not Required

Reference : 00/01271/1AD

Description : Temporary non illuminated 8m x 4m PVC banner to front elevation.

Date of Decision: 09.11.2000

Decision: Consent

Reference : 00/00983/1

Description : Conversion of part of three storey building to 10x 2 bed, 6x 3 bed and 8x 1 bed flats with leisure club, associated cycle vehicle parking (as amended by plans received 23.10.00 and 23.10.01)

Date of Decision: 29.10.2001

Decision: Conditional Permission

Reference : 01/01655/1AD

Description : Projecting sign and wall sign on Queen Street elevation

Date of Decision: 18.02.2002

Decision: Consent

Reference : 02/00274/1

Description : Three dipole antennae fixed to existing roof framework (as amended by plans received 09.09.2002 and 27.09.2002)

Date of Decision: 15.11.2002

Decision: Conditional Permission

Reference : 08/02916/1

Description : Installation of 2 aluminium louvres on north elevation at ground floor level following removal of existing windows

Date of Decision: 21.01.2009

Decision: Conditional Permission

Reference : 08/01543/1

Description : Installation of 4 ventilation louvres to existing window apertures at 2nd floor level of east elevation of building

Date of Decision: 28.08.2008

Decision: Conditional Permission

1 Reference : 2/00075/1

Description : Install 2 ventilation louvres in two ground floor windows of north elevation of building

Date of Decision: 29.02.2012

Decision: Conditional

Reference : 16/02291/1

Description : Two storey roof extension to create 4x 1 bed and 10 x 2 bed self-contained apartments (9th and 10th floors) with 12 allocated car parking spaces within the existing car park area, cycle parking and revised bin storage facilities. As amended by plan nos. 100C; 101C; 102C, 103D, 104C, 105C, 106 received 3/11/16.

Date of Decision: 15.12.2016

Decision: Refused

Reference : 19/02365/FP

Description : Two storey roof extension to create 4x 1 bed studio apartments and 6x 2 bed apartments (9th and 10th floors) with 10 allocated car parking spaces within existing car park area, cycle parking, bin storage facilities including a communal roof garden.

Date of Decision: 10.01.2020

Decision: Refused

Reference : 20/02125/FP

Description : Installation of additional external louvres for cooling equipment

Date of Decision: 12.11.2020

Decision: Conditional Permission

3) PROPOSED DEVELOPMENT

It is proposed to change of use of the existing commercial (Use Class E) building formerly known as 'The Exchange on Queen Street, to residential accommodation (Use Class C) under *Part 3*, Schedule 2, Class MA of the Town and Country Planning, General Permitted Development Order (GDPO) 2015.

These would comprise of 5 no. studio flats and 1 no. 1-bed flats.

The design and materiality of the proposal will mimic the existing building character using the same exterior materials, rendered walls and aluminium windows. The placement of the proposed windows matches the fenestration as per Planning Approval 24/02058/FP.

Internally, all new flats shall include high quality fixtures and fittings. All the proposed dwellings will comply, or exceed, the Nationally Described Space Standards and will allow for the creation of 6 no. dwellings.

The site is located in highly accessible location and benefits from being within Hitchin's Town centre such as an existing public car park, train station, local shops and market.

4) TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ENGLAND ORDER 2015

The Town and Country Planning (General Permitted Development) (England) Order 2015 ('GPDO, 2015') which came into force on 15 April 2015, permits the change of use on Use Class E in order to provide new dwelling houses, without requiring planning permission, in accordance with Schedule 2, Part 3, Class MA.

The development is subject to a number of restrictions, exclusions and conditions, as well as a Prior Approval process, all of which are discussed in greater detail in the following sections.

5) CLASS MA QUALIFYING ASSESSMENT

Before considering whether the prior approval of the Local Planning Authority is required, an assessment must first be undertaken to determine whether the proposal constitutes permitted development under the terms of Part 3, Class MA.

The following sets out in more detail how the building and proposed development qualifies for Permitted Development .

Eligibility

Has the building been vacant for a continuous period of at least 3 months immediately prior to the date of this application?

Eligibility questions relating to the current building being vacant for 3 months, and it's floorspace not exceeding 1,500 square metres were removed after these limitations were lifted by government on 5 March 2024.

Has the use of the building, for a continuous period of at least 2 years immediately prior to the date of this application, been any of the following:

- *For periods prior to 1 September 2020*
- *Shops (Use Class A1);*
- *Financial and professional services (Use Class A2);*
- *Food and drink (Use Class A3)*
- *Business (Use Class B1);*
- *Medical or health services*
- *Non-residential institutions (Use Class D1(a));*
- *Crèche, day nursery or day centre*

- *Non-residential institutions (Use Class D1(b));*
- *Indoor and outdoor sports*
- *Assembly and leisure (Use Class D2(e)), other than an indoor swimming pool or skating rink;*
- *For periods from 1 September 2020*
- *Commercial, Business and Service (Use Class E)*

Yes ,Xchange Fitness, occupied the building since April 2016 where it has was used for a commercial indoor gym with associated facilities such as coffee shop.

Is any land covered by, or within the curtilage of, the building:

- *in a site of special scientific interest;*
- *a listed building or land within its curtilage;*
- *a scheduled monument or land within its curtilage;*
- *a safety hazard area;*
- *a military explosives storage area;*

Or, is the building:

- *in an area of outstanding natural beauty;*
- *in an area specified by the Secretary of State for the purposes of enhancement and protection of the natural beauty and amenity of the countryside;*
- *in the Broads;*
- *in a National Park;*
- *in a World Heritage Site*

No, the site is not located on, nor forms part of, any of the relevant exclusionary areas.

The proposed change of use

For applications, submitted before 1 August 2022, proposing a change of use to Dwellinghouses from Offices (Use Class B1(a)/E(g)(i)).

Is/Was there an Article 4 direction in place that has removed these specific permitted development rights?

None are applied.

Will all the proposed new dwellinghouses have gross internal floor areas of at least 37 square metres, and comply with the nationally described space standard?

Yes, all units range from 42sq/m to 51.5sq/m, meeting National Space standards.

Following the development, will every dwellinghouse in the building remain in use within Use Class C3 and for no other purpose, unless that purpose is ancillary to the primary use as a dwellinghouse?

All units will be retained as dwellings under C3 Use.

Is any part of the land covered by or within the curtilage of the building to be demolished occupied under any agricultural tenancy agreements?

There are no agricultural tenants on the proposed site.

Would the proposed development result in a building that contains one or more dwellinghouse, and is:

- *18 metres or more in height (as measured from ground level to the highest part of the roof); and/ or*
- *Contains 7 or more stories*

Not applicable to the proposal, thus will not exceed 18m in height and therefore there is no requirement to provide fire safety details for the proposals.

Please describe the proposed development including details of any dwellinghouses and other works proposed.

Please provide details on the provision of adequate natural light in all habitable rooms of the dwellinghouses

The creation is for 6 self contained residential units with associated cycle and refuse and recycling provisions.

The windows of the proposal as per Planning Approval 24/02058/FP indicates how these windows will be allocated to the facade. An assessment has been undertaken to demonstrate that the daylight and sunlight amenity is achieved to maximise daylight distributions, which in turn will enhance the quality of the living environments, please refer to the Daylight and Sunlight Report conducted by Right of Light Consulting.

A full set of existing and proposed elevations have been submitted as part of this prior notification submission.

The design and materiality of the existing building fenestration alterations are minimal, the changes will seamlessly integrate into the host building. The building materials will remain the same. Furthermore, the façade design will be carried across with the windows creating cohesive elevations and single legible building.

Additionally, it is important to highlight that the GPDO legislation restricts decisions on matters of design to be based on the external appearance of the existing building itself and not on the wider street scene. As the proposal mirrors the host building, it is considered entirely appropriate in terms of design.

What will be the net increase in dwellinghouses?

6 new residential units are proposed.

Impacts and risks

Please provide details of any transport and highways impacts and how these will be mitigated, particularly to ensure safe site access.

The proposal strategic aims to reduce car dependency and in light of the site's highly sustainable location, the proposals do not include any additional car parking at the site.

The site is situated within a highly accessible location for walking, cycling and public transport with Bus Services located and Hitchin station within 1 km.

Notwithstanding, and in seeking to promote sustainable travel, it is intended to provide cycle parking in accordance with the standards set out in the London Plan (2021).

A Transport Note has been prepared by Icenl to demonstrate this in more detail.

No objections were raised from the Highway Officer from the previous application 23/02630/PNMA and 24/01306/PNMA.

Please provide details of any contamination risks and how these will be mitigated.

We do not consider land contamination risks to be of relevance to the submission. The site is an existing building located with no historical evidence of contamination.

Please provide details of any flooding risks and how these will be mitigated.

A Flood Risk Assessment has been undertaken by Geosmart, please refer to the submitted document. It states the proposal site will not have any negative effect to the occupants or the site.

Please provide details of the impacts of noise from any commercial premises on the intended occupiers of the new dwelling houses and how these will be mitigated.

Please refer to Noise Impact Assessment Report Report 28535.NIA.01 by KP Acoustics which confirms there is no impact.

All units will be constructed under current Building Regulation to achieve acoustic standards.

The windows used for the proposed apartments will comply with the recommendations within the Noise Impact Assessment report.

If the building is located in a conservation area, and the development involves a change of use of the whole or part of the ground floor. Please provide details of the impacts that the change of use will have on the character or sustainability of the conservation area and how these will be Mitigated.

The site is not located within a Conservation Area.

If the building is located in an area currently in use for general or heavy industry, waste management, storage and distribution, or a mix of such uses.

Please provide details of the impacts on intended occupiers of the development of the introduction of residential use in the area and how these will be mitigated.

The site is not affected by such uses.

If the proposal involves the loss of services provided by a registered nursery, or a health centre. Please provide details of the impacts on the local provision of the type of services lost and how these will be mitigated.

The is not applicable to this application.

6) SUBMISSION DOCUMENTS

This application seeking a determination as to whether prior approval is required comprises the following documents:

- Planning Cover Letter (this document);
- Prior Notification Application Form;
- CIL Form;
- Site Plans;

- Existing and Proposed Plans and Elevations;
- Transport Note;
- Daylight and Sunlight Report;
- Noise Impact Assessment Report Report and
- Flood Risk Assessment.

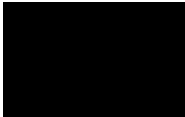
7) CONCLUSION

We trust that you have sufficient information to consider this prior approval for the Change of Use of The Exchange, Queen Street, Hitchin, SG4 9TW to provide 6 no. residential dwellings (Class C3).

We believe that sufficient information has been provided to allow the change of use detailed above under the Town and Country Planning (General Permitted Development) (England) Order 2015, therefore not requiring planning permission.

Please do not hesitate to contact me (07930381865 / Helen@hk-architects.co.uk) should you wish to discuss any of the content of this submission in further detail.

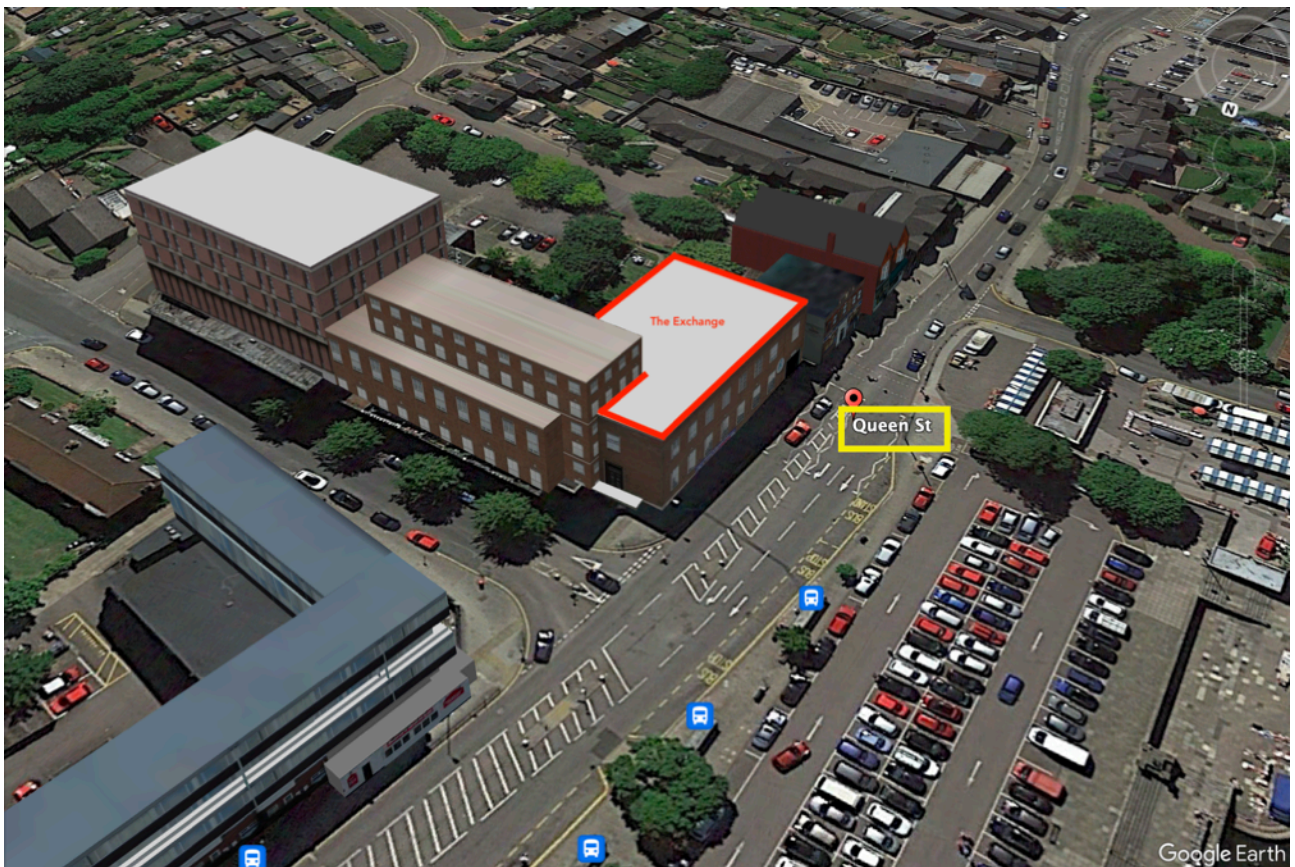
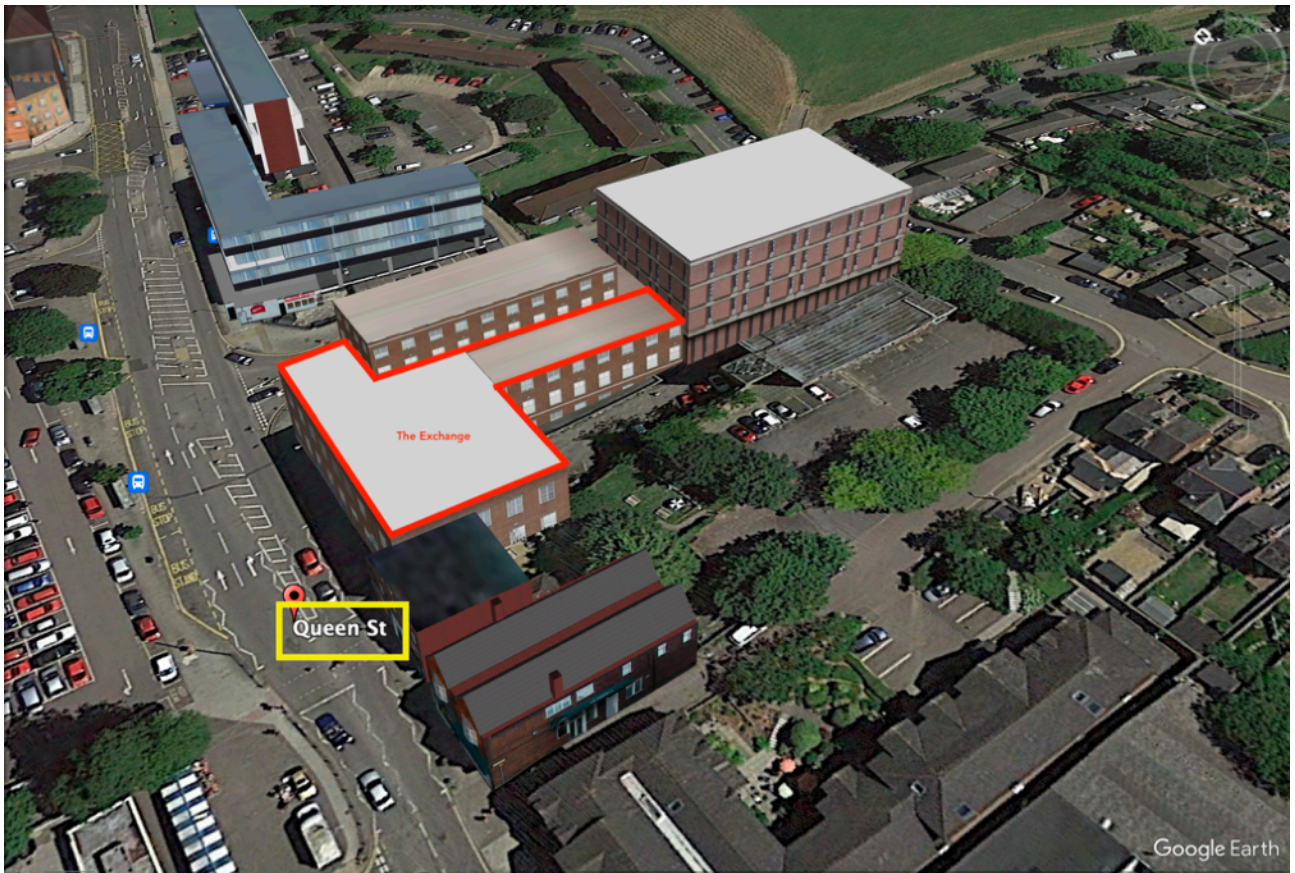
Yours Sincerely,

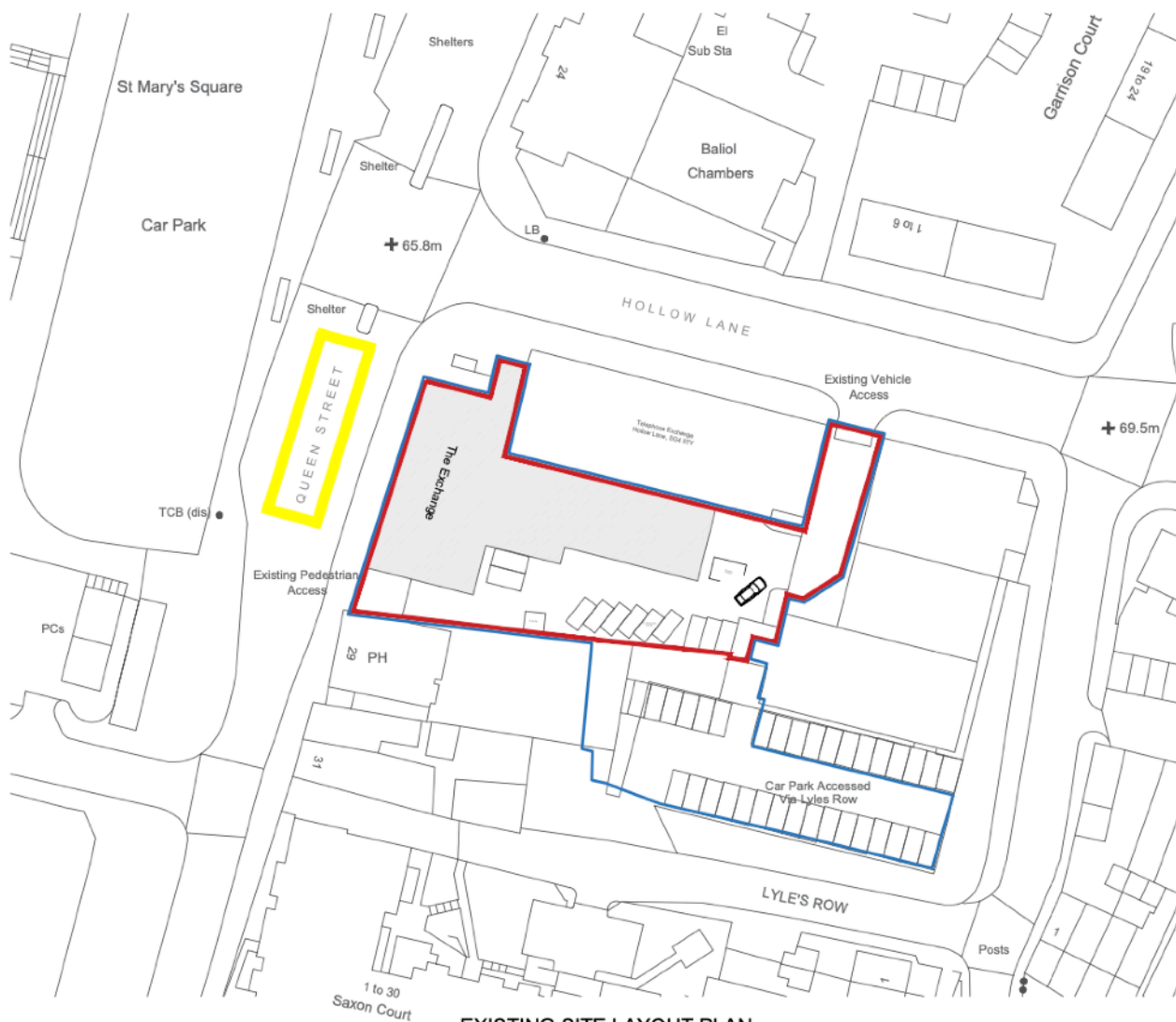


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Site Photographs







EXISTING SITE LAYOUT PLAN