

NORTH HERTFORDSHIRE DISTRICT COUNCIL

Town and Country Planning Act 1990

DECISION NOTICE

Correspondence Address:
Quadrant Town Planning Ltd
The Office
14 Harcourt Close
Henley on Thames
RG9 1UZ

Applicant:
Mr Euan Courtney Morgan

PARTICULARS OF DEVELOPMENT

Application: 24/02173/FP

Proposal: Change of use from care home (use class C2) to supported hostel accommodation (sui generis) and provision of additional car parking, refuse/recycling store and cycle storage. Erection of single storey store (as amended by plan nos. 1300-S2-P04, 1350-S2-P03 (002), 1181-S2-P06 and CCTV layout plans received 13.11.2024)

Location: Anderson House, Florence Street, Hitchin, Hertfordshire, SG5 1RA

Plan Nos: 24159-LSI-AAA-XX-DR-A-1170-S2-P03 24159-LSI-AAA-XX-DR-A-1180-S2-P03 24159-LSI-AAA-XX-DR-A-1181-S2-P06 24159-LSI-AAA-00-DR-A-1200-S2-P03 24159-LSI-AAA-01-DR-A-1201-S2-P03 24159-LSI-AAA-ZZ-DR-A-1250-S2-P01 24159-LSI-AAA-ZZ-DR-A-1251-S2-P01 24159-LSI-AAA-00-DR-A-1300-S2-P03 (002) 24159-LSI-AAA-01-DR-A-1301-S2-P04 24159-LSI-AAA-ZZ-DR-A-1350-S2-P03 24159-LSI-AAA-ZZ-DR-A-1351-S2-P01

PARTICULARS OF DECISION

In pursuance of its powers under the above Act and the associated Orders and Regulations, the Council hereby **GRANT PERMISSION** for the development proposed by

you in your application received with sufficient particulars on 10 October 2024, subject to the following condition(s):

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.

Planning 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. The development hereby permitted shall be operated at all time in accordance with the submitted 'One YMCA Statement of Need and Management' unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the use is managed effectively in the interests of the amenity and safety of both the occupiers of the development and the occupiers of property within the vicinity of the site. To comply with Policy D1 and D3 of the North Herts Local Plan.

4. Prior to the commencement of the use hereby permitted details of a Noise Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the use is managed effectively in the interests of the amenity and safety of both the occupiers of the development and the occupiers of property within the vicinity of the site. To comply with Policy D1 and D3 of the North Herts Local Plan.

5. Prior to the commencement of the use hereby permitted the car parking facilities shown on the approved plan shall be marked out and made available, and shall thereafter be kept available solely for the parking of motor vehicles.

Reason: To ensure the provision of satisfactory car parking facilities clear of the public highway to meet the needs of the development and to comply with Policy T2 of the North Hertfordshire Local Plan 2011 to 2031.

6. Prior to the installation of any external lighting and prior to the first occupation of the development hereby permitted, details of all external lighting required in association with the development scheme shall be submitted to and approved in writing by the Local Planning Authority. Such lighting shall thereafter be installed in accordance with the approved details or particulars and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason: To ensure all external lighting is installed in the interests of maintaining community safety and amenity.

To comply with Policy D1 and D3 of the Local Plan

7. The proposed on-site facilities for waste storage and collection (including waste for recycling) as shown on the approved plans shall be provided prior to the commencement of the use hereby permitted and shall be retained thereafter unless alternative arrangements are agreed in writing by the local planning authority.

Reason: To protect the amenities of nearby residents/occupiers and in the interests of visual amenity. To comply with Policy D1 of the Local Plan.

8. Prior to occupation, the proposed development shall incorporate 2 Electric Vehicle (EV) ready domestic charging points.

Reason: To contribute to the objective of providing a sustainable transport network and to provide the necessary infrastructure to help off-set the adverse impact of the operational phase of the development on local air quality and to comply with Policy D4 of the North Hertfordshire Local Plan 2011 to 2031.

9. All first floor windows nearest to the southern boundary of the site shall be obscured glazed and fitted with restricted opening mechanisms as demonstrated on the submitted plans. Such measures shall be retained and maintained for the lifespan of the proposed use to the satisfaction of the Local Planning Authority.

Reason: In the interest of maintaining the privacy and amenity of adjacent residents. To comply with Policy D1 of the North Herts Local Plan.

10. All security measures including the operation of CCTV, the provision of palisade fencing and locking mechanisms to access gates shall be installed and fully operational prior to the commencement of the use hereby permitted.

Reason: To accord with the terms of the submitted application and to ensure the facility is managed appropriately in the interests of amenity and security of the premises. To comply with Policies D1 and D3 of the North Herts Local Plan.

11. Prior to the commencement of the use hereby approved full details of the cycle storage facilities shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure the provision of adequate cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport in accordance with Policies 1, 5 and 8 of Hertfordshire's Local Transport Plan (adopted 2018)

12. Prior to the commencement of the use hereby permitted full details of a resident nominations agreement for Andersons House to include the role of North Hertfordshire District Council as local housing authority, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in perpetuity in accordance with the approved nominations scheme unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development meets a local housing need and to comply with paragraph 60, Section 5 of the National Planning Policy Framework (2023).

13. Prior to the commencement of the use hereby permitted details of an enhanced boundary treatment scheme along the southern boundary, to include a minimum fence height of 2 metres, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason: In the interests of the amenity of adjacent residents and to comply with Policy D3 of the North Herts Local Plan.

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.

Signed:



Shaun Greaves
Development and Conservation Manager

Development Management
North Hertfordshire District Council
Council Offices
Gernon Road
Letchworth
Herts
SG6 3JF

Date: 11 December 2024

The Council's Privacy Notice is available on our website: <https://www.north-herts.gov.uk/home/council-data-and-performance/data-protection/information-management-gdpr>

NOTES

- 1 **Failure to satisfy conditions may invalidate this permission and/or result in enforcement action. Particular attention should be paid to the requirements of any condition in bold.**
- 2 Applicants will need to pay a compliance fee where they request confirmation in writing of any planning consent, agreement or approval (commonly known as discharge of conditions) required by one or more conditions or limitations attached to a grant of planning permission.
- 3 The fee is £145 per request or £43 where the permission relates to an extension or alteration to a dwellinghouse or other development in the curtilage of the dwellinghouse.

The request can be informal through the submission of a letter or plans, or formal through the completion of an application form and the submission of plans. Any number of conditions may be included on a single request. The form is available via the Council's website:
www.north-herts.gov.uk/home/planning/planning-applications/submit-planning-application
- 4 If the development hereby permitted is one that will require a new postal address/es then please contact the Council's **street naming and numbering service** on 01462 474431 or email SNN@north-herts.gov.uk who will advise you on how to apply for the new address/es.

Any proposed sales and/or marketing name to be adopted by the developer should be forwarded to the **street naming and numbering service**, prior to any publication of the site details and sales information.

- 5 If you are aggrieved by the decision of your local planning authority (LPA) to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.

However, if an enforcement notice has been served for the same or very similar development the time limit is 28 days from the date of the LPA decision or 28 days from the date the enforcement notice was served.

Appeals can be made online at: <https://www.gov.uk/appeal-planning-decision>
If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

6 **Purchase Notices**

If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

- 7 The District Council and County Highway Authority wish to ensure that, in the implementation of the development, hereby approved, the highway verge adjacent to the property is not damaged or does not become unsightly due to the stationing of skips, parking of vehicles, storing of building materials etc thereon. Your attention is, therefore, drawn to the provisions of Section 131 of the Highways Act 1980 and to the Hertfordshire County Council Bylaws 1955 (specifically relating to grass margins and verges in Letchworth Garden City) by virtue of which such actions, unless authorised by the prior grant of a licence, constitute a prosecutable offence. Persons responsible for undertaking the development and any associated works are, therefore, strongly encouraged to take appropriate steps to ensure that no breach of the said legislation occurs during the course of such activities. In the event of any damage being caused it will be expected that suitable reinstatement is undertaken upon completion of the development. Failure to do so could also result in legal action being pursued. To obtain information regarding the issue of licences, contact Hertfordshire Highways, Hertfordshire County Council, County Hall, Pegs Lane, Hertford, SG138DQ or telephone 0300 1234 047.

8 **Cadent Gas Informative:**

Cadent Gas own and operate the gas infrastructure within the area of your development. Contact our Plant Protection Team for approval before carrying out any works on site and ensuring requirements are adhered to. Email plantprotection@cadentgas.com Alternatively you can register on www.beforeyoudig.cadentgas.com This service is free of charge.

THIS PLANNING PERMISSION DOES NOT CONSTITUTE APPROVAL UNDER BUILDING REGULATIONS AND IS NOT A LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT. IT DOES NOT CONVEY ANY APPROVAL OR CONSENT WHICH MAY BE REQUIRED UNDER ANY ENACTMENT, BYE-LAW, ORDER OR REGULATION OTHER THAN SECTION 57 OF THE TOWN AND COUNTRY PLANNING ACT 1990.