DELEGATED FILE NOTE

CASE OFFICER: ...Sam Dicocco.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
18/00961/FP	Two storey extension to rear of existing warehouse together with demolition of part of existing single storey ancillary structure (as amended by plans received 16/11/2018)	Unit 7 Baldock Industrial Estate Baldock Hertfordshire SG7 6NG

Submitted Plan Nos

Existing and Proposed Floor Plans 1:1250 Site Location Plan Existing and Proposed Elevations Tree Protection Measures

1.0 Policies

LP36 Employment Provision

LP37	Business Uses (B1 Use Class)
LP8	Development in Towns
LP55	Car Parking Standards
SECN12	Achieving well-designed places
SECN6	Building strong, competitive economy
SECN9	Promoting sustainable transport
XD1	Sustainable Design
XD3	Protecting Living Conditions
XETC1	Appropriate Uses in Employment Areas
XT2	Parking

2.0 **Site History**

2.1 81/00226/1 - Request made pursuant to circular 49/63 (Disposals of surplus Government Land) as to whether, in the event of an application for planning permission having been made, such permission, would have been granted for the use of the land and existing buildings for light industrial purposes – Conditional Permission 22/04/1981

2.2 91/01237/1 – Single storey rear extension – Conditional Permission 21/11/1991

3.0 **Representations**

3.1 A comment followed by an objection has been received from the owners of No.16 Alder Close. The latest correspondence, and objection, can be summarised as follows:

- The scale of the development and proximity to boundary would be obtrusive.
- Lack of information regarding the proposal including form, construction, materials, fire rating and structural integrity.
- Lack of information about additional noise, fumes or other nuisance.
- Lack of drainage assessment.
- Overall lack of information for such a large development.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The site lies within the settlement of Baldock. The site contains a two storey flat roofed industrial building with a small outbuilding and lean-to single storey rear extension. The last lawful planning use of the premises was for light industrial, as per the 1981 permission within the planning history section of this recommendation. The site backs onto residential premises on Alder Close.

4.2 **Proposal**

4.2.1 The application seeks planning permission for the erection of a two storey flat roofed rear extension to the premises following the demolition of the existing outbuilding and single storey addition. The addition would be the same depth as the existing single storey rear extension, at approximately 5.3m, with a height to match the height of the existing building, at approximately 7.5m. As a result of negotiation, amended plans have been received 16th November 2018 which show a pitched roof at the end of the extension resulting in a reduced eaves height of 5.5m.

4.3 **Key Issues**

Preliminary Matters

4.3.1 The application seeks planning permission for the erection of an extension to the existing building. The application is supported by a design and access statement and scaled drawings on graph paper. The drawings denote the scale and include a scale bar. This accords with the provisions of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) and the North Hertfordshire District Councils Local List of information requirements. By reason of the limited scale of the proposed development, no further information is identified within national or local planning legislation as required to support the application.

Principle

4.3.2 The application form states that the building is currently used within Use Class B8 (Storage and Distribution). There is no evidence that the building has been given planning permission for this use class, which could, if uncontrolled, harm the living conditions of the occupiers of adjoining premises. The site is used to store and distribute goods, as evidenced by the occupier name ‘onlineshopbase’. The last known lawful use of the premises was in use class B1c as light industrial. It is not known whether the B8 Use Class existing has become lawful by reason of the use exceeding the time limit for enforcement action.

4.3.3 The site lies just outside of a designated employment area, where uses within Use Class B8 are considered appropriate. Given the size of the unit, it is not considered that a storage and distribution use would cause material harm to the occupiers of adjoining residential premises over and above the last known lawful planning use as light industrial. Furthermore, policy ETC1 of the 2011-2031 Proposed Submission Local Plan allows scope for exceptional planning permission outside of the B1 use class in business employment areas. It is not considered that the existing use as B8, as a result of the size and scale of the existing and proposed unit, would materially harm the business designated employment area in which the site is located, and would bring comparable benefits to a B1 use class.

Design

4.3.4 The existing building, and surroundings within the business and industrial estate in which it is sited, is of no architectural merit. The extension would be sited to the rear of the existing two storey building, and thereby have little to no impact on the character of the industrial estate. A neighbour representation has identified some public vantage point on a residential street where the existing building can be seen to the rear of the dwellings. It is considered that the extension of the building closer to the residential vantage point identified, with no increase in height, would not materially alter the character of the residential street. The addition would not appear incongruous as the residential street already identifiably backs onto industrial utilitarian style buildings.

Living conditions of adjoining premises

4.3.4 The proposed two storey addition has been spaced from the adjoining industrial unit (Unit 7) by approximately 5m. This is to allow some spacing from a side facing window within the neighbouring unit. It is considered that the extension would not materially alter light entering the window or the outlook from the window as a result of the spacing.

4.3.5 A residential street is located immediately to the north west of the site. The rear gardens of No.22, No.23, No.14 and No.16 Alder Close. Mature vegetative screening is in position between the two sites, albeit exclusively within the ownership of the residential dwelling. The screening was established and/or retained to screen the residential dwellings from the industrial buildings when the residential development was built out in the late 1980's.

4.3.6 In regards to outlook, a neighbour representation from No.16 Alder Close has raised concerns regarding the impact of the proposed extension on outlook. The representation is supported by photographs, which show that the existing approximately 5m high conifers screen the entire building from ground floor outlook, but not at first floor level. The representation also suggests that the building works could impact the health of the trees, or the owner of No.16 Alder Close could have the screening removed, as the trees are under their ownership.

4.3.7 It is agreed that the proposed extension would, by reason of its increased proximity to the boundary, become more visible from the adjoining premises. The vegetative screening can be guaranteed to some extent, as any owner of the adjoining premises would be unlikely to wish to remove the screening to reveal the buildings to the rear. A vegetative boundary of 5m in height is considered an acceptable existing burden to the adjoining occupiers to protect their outlook.

4.3.8 The height of the proposed extension at its deepest has been reduced in amended elevations received 16th November 2018 to 5.5m at its eaves. This has been achieved be introducing a pitch towards the far end of the extension. It is considered that this amendment would result in the extension not having a harmful impact on the outlook of adjoining occupiers as compared to the existing relationship between the residential area and the employment site.

4.3.9 The roof pitch and lower eaves height where the extension would be close to the boundary with adjoining residential premises has also reduced the potential harm in regards to loss of natural light. Shadows are cast predominately to the north, as well as west to east throughout the day. Residential rear gardens are set to the north and north-west of the proposed extension. The extensions de-minimus additional height over the approximate height of the vegetative boundary as mentioned above would not have a significant impact on access to light in the immediate amenity space of adjoining premises.

4.3.10 No harm is considered to be likely to result from the extension in terms of loss of privacy to the occupiers of adjoining premises.

Parking

4.3.11 Turning to parking, the application form states that the site hosts 24 parking spaces, with 24 spaces remaining available following the development. This parking provision has not been evidenced or shown within any plans provided within the application, and no allocated parking provision was self evident on the site visit. As such, the figures in the application form are afforded limited weight.

4.3.12 The design and access statement submitted suggests the proposed extension would not increase employment provision on the site. While this may be the case for the existing occupier, the Vehicle Parking at New Development SPD suggests that every 35 square metres of floor space would result in *capacity* for an additional car using employee. No evidence has been provided to refute this, and the permission is not personal to the current occupier, who may not need additional employees, but for the lifetime of the building.

4.3.13 In accordance with the Vehicle Parking at New Development SPD, the additional 160 square metres of floor space would necessitate an additional 4.57 parking spaces, rising from the existing requirement of 25 spaces to 29.57. As above, no evidence has been provided to back the existing provision, and no provision within the red site outline was self evident upon the site visit. As such, it is assumed that there is no specific parking provision for the existing unit and proposed extension, and it relies upon spaces being available in communal and shared spaces on the estate. No evidence or survey of existing parking stress has been submitted to support the application.

4.3.14 Notwithstanding the identified additional parking requirement, and lack of supporting evidence regarding parking availability and parking stress, it is not considered that the extension would result in material harm to the safe use of surrounding highways or cause inconvenience to the occupiers of surrounding highways as a result of vehicular displacement. This conclusion is based upon several site visits having taken place by which on-site parking has not been an issue, the limited additional requirement as a result of the extension, and the availability of uncontrolled off-site parking in the nearby vicinity of the site.

4.4 **Conclusion**

4.4.1 By reason of the amended plans received 16th November 2018, it is considered that the proposed extension would meet the policy requirements of the local development framework.

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.

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.

Signed  Simon Ellis Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 6 December 2018	