DELEGATED FILE NOTE

CASE OFFICER: ...Heather Lai.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
18/01301/FP	Change of Use from A1/A2 (shops, financial and professional services) to C3 (dwelling houses) to create two x 2-bedroom apartments including conversion of outbuilding to residential use.	35 Bridge Street Hitchin Hertfordshire SG5 2DF

Submitted Plan Nos

ELEV002 ELEV003 GA004 GA005 GA006 GA007 GA008 LOC002

1.0 Policies

1.0 **Relevant Policies**

Planning (Listed Buildings and Conservation Areas) Act 1990
Section 16: Decision on Application

National Planning Policy Framework
Section 7: Requiring good design
Section 12: Conserving and enhancing the historic environment

North Hertfordshire District Council Local Plan No. 2 with alterations
Policy 28: Housing Extensions
Policy 55: Car Parking Standards

Emerging Local Plan 2011-2031 (Approved by Full Council 11th April 2017)
D1: Sustainable Design;
D2: House extensions and replacement dwellings;
D3: Protecting living conditions;
T2: Parking
HE1: Designated Heritage Assets

Supplementary Planning Document

Vehicle Parking at New Development September 2011

2.0 **Relevant Site History**

17/01401/1: Single storey side extension following demolition of existing lean to. Raise flat roof height to rear outhouse.

17/01402/1LB: Single storey side extension following demolition of existing lean to. Raise flat roof height to rear detached outhouse. Internal and external alterations including 3no. new windows at ground floor to front elevation and modifying existing windows to receive double-glazing.

Both approved on 20.12.2017

3.0 **Representations**

Conservation Officer: No objection, is considered the change of use will not harm the special interest of the listed building.

Environmental Health: no response received.

Hertfordshire Highways (HCC): no response received.

4.0 **Planning Considerations**

Site and Surroundings

35 Bridge Street is a Grade II Listed Building within Hitchin Conservation Area. It forms part of a group of listed buildings, nos. 35-38 (Consec.). It lies on the edge of the town centre and has most recently been in lawful use as a Class A2 Solicitors Office (professional services). A hairdresser with residential above lies to the northwest and the river Hiz to the southeast.

Hitchin Priory is to the rear (south) of the site. The Historic England list entry for the site states that it is a nineteenth century building of *whitewashed brick, tiled roof. 2 storeys, 4 sash windows with glazing bars. Ground floor modern segmentally bayed shop window in Georgian style. Doorway on right has panelled pilasters, dentil pediment on consoles. Included for group value.*

Proposal
The proposal seeks planning permission and listed building consent for a Change of Use from Class A1/A2 (shops/financial and professional services) to Class C3 to create a 2-bedroom flat, and a one bedroom flat with an ancillary outbuilding to the rear of the site.

Key Issues

The key planning considerations relate to:

- Land use principle of the change of use
- whether the work would preserve or enhance the special character of the listed building and Hitchin Conservation Area
- any effect the development may have on neighbouring residential amenity.

Planning permission and listed building consent were granted in 2017 for internal and external alterations to the site, and therefore only the principle of the change of use is to be considered under the current applications.

Land use:
In terms of land use, the application site is located on the periphery of the Hitchin Town Centre, and is not designated primary or secondary shopping frontage. The surrounding area is characterised by a mix of uses, including shops, restaurants/cafes and pubs; offices; professional services and residential. It forms one of the largest town centres in North Hertfordshire.
The proposal seeks a change of use from Class A1/A2 retail or financial and professional services to create two new residential units. It is understood the most recent use of the site was as a solicitors office, within Class A2 use.

Policies 42 and 43 of the saved Local Plan, and Policies SP4 and ETC4 and ETC5 of the emerging Local Plan seek to protect retail uses within town centres and ensure that any change of use does not harm the vitality and viability of the town centre. The application site is located just outside the designated shopping area of Hitchin Town Centre and therefore is not protected as a designated retail site.

Policy 8 of the saved Local Plan confirms that within towns [Hitchin] the Council will normally permit proposals to meet the majority of the development needs of the District if the aims of other relevant policies are met. While the Council seeks to protect the vitality and viability of town centres, it is considered the change of use of this two storey building to 2 no. two bedroom flats will not be harmful to the functioning of Hitchin Town Centre. Therefore it is considered the proposal is acceptable in land use terms.

Quality of proposed residential accommodation:
The Nationally Described Space Standards produced by the Department of Communities and Local Government recommends that for a 2 bedroom, 4 person unit an internal floorspace of 70m^2 should be provided. Based on the floor plan for the ground floor unit, it is considered this would provide two double beds, therefore is capable of accommodating 4 people. It has an internal floorspace of 65m^2 (for the flat and the annex) which is marginally below the prescribed floorspace, however given that the proposal relates to an existing building, which is listed and would provide private amenity space, no objection is raised to this shortfall. In

addition, the layout, size of habitable rooms and fenestration/ventilation proposed would provide a decent standard of accommodation for future occupants.

The first floor flat, as it is shown on plan is to be a two bedroom, four person unit (with bedrooms of 16m^2 and 14m^2) with an internal floorspace size of 41m^2. While this is below the recommended minimum space standard, in this instance no objection is raised, as the layout, size of habitable rooms and fenestration/ventilation of the proposed unit are considered acceptable to this listed building. The proposed units are within the Hitchin town centre and provide good access to amenities, including public open space. It is considered the proposed flats will provide acceptable living conditions for future occupiers.

Design:
The Council's Design and Conservation Officer has assessed the applications for the proposed change of use and considers it will not harm the building's special character or the character or appearance of the Hitchin Conservation Area. The application does not include any external works, and the Design and Conservation Officer considers the proposal will satisfy the provisions of Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and as supported by the aims of Section 12 of the NPPF and Policy HE1 of the North Hertfordshire Local Plan 2011 - 2031 (Proposed Submission, October 2016). As such, it is considered the planning application is acceptable in design and conservation terms.

Amenity:
As stated above, the proposal does not include external alterations, however a two storey side extension was approved in 2017 which a site visit confirmed has been substantially implemented. The approved existing and proposed plans show the previously approved alterations and therefore the amenity assessment is based on these drawings.

To the front, the site has 3 x 3 sash windows at ground and first floors and looks directly on to Bridge Street. The closest affected buildings are to the opposite side of Bridge Street, and appear to be retail at ground floor with residential units above. It is considered given the set back on the street of no. 35, and that the buildings opposite are overlooked across a road, that the change of use would not result in a material loss of privacy to surrounding residential occupiers.

To the eastern (side) elevation, the site adjoins the River Hiz, and the closest property (no. 32) is to the other side of this waterway, and adjoins a weir. No. 32 appears to be in use as Class A1/A2 with a mix of businesses operating within it. As such, it appears there would be no residential properties to this elevation that would be directly overlooked.

To the rear, it is proposed to use the existing outbuilding as ancillary to the residential use, providing additional annex floorspace for the ground floor unit. The only first floor window to face the rear of the site is a bathroom window which will be partially obscured by the ground floor pitched roof to the rear of the main building. Therefore it is considered there will not be a material impact in terms of how much the two new units would overlook one another.
Hitchin Priory is located to the rear beyond the site, and is separated by the high boundary wall of the rear of the outbuilding, and a moderate distance with significate tree coverage. As such there will not be a loss of privacy to the rear.

To the west side, no. 36 is in use as an A1 shop at ground floor and a C3 residential flat at first floor. The previously approved extensions to the application site involve the erection of a single storey side/rear extension, and the blocking up of a first floor window to the side return. Owing to these previously approved alterations, it is considered there will not be a material increase in overlooking to no. 36 from either new residential unit. While there may be a degree of overlooking from the outbuilding to no. 36, given the distance of the outbuilding from

the rear of no. 36 and the angle at which it faces this unit it is considered there would not be a material loss of privacy to the occupants of the adjacent site.

It is considered the proposed change of use will not result in a material loss of privacy for surrounding residential occupants and is acceptable in amenity terms.

Parking:
Policy 55 of the saved Local Plan, and Policy T3 of the emerging Local Plan require that all residential units of 2+ bedrooms have two vehicle parking spaces. However in the context of 35 Bridge Street, which is a town centre location with double yellow lines to the front, and is easily accessed by train and bus that it would not be reasonable to require the provision of parking space given the lack of available land on the site.

Conclusion

No objections are raised, it is considered that the proposed work would cause no harm to the significance of this heritage asset or the viability and vitality of the Hitchin Town Centre.

5.0 **Recommendation**

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. The residential annexe hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the ground floor flat at 35 Bridge Street, Hitchin, SG5 2DF.

   Reason: To avoid the creation of a new dwelling contrary to the planning policies applicable to the area and to avoid the occupation of two separate dwellings by persons unconnected with each other as this would result in an unsatisfactory relationship and inadequate standard of amenity for both properties.

Proactive Statement:

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. 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: 4 July 2018	