

DELEGATED FILE NOTE

CASE OFFICER: ...Vicki Wood.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
24/02370/FP	Installation of external insulation and cladding. (Development already carried out).	32 - 33 Nightingale Road Hitchin Hertfordshire SG5 1QU

Submitted Plan Nos

Location Plan 44471_01_01 44471_02_01

1.0 Policies

1.0 **Local and National Policy**

1.1 **National Planning Policy Framework 2024 (NPPF)**

Section 2 – Achieving sustainable development

Section 12 – Achieving well-designed places

Section 14 - Meeting the challenges of climate change, flooding and coastal change

1.2 **North Hertfordshire Local Plan 2011-2031 (NHLP)**

Strategic Policies

Policy SP1 – Sustainable Development in North Hertfordshire

Policy SP9 – Design and Sustainability

Development Management Policies

Policy D1 – Sustainable design

Policy D2 – House extensions, replacement dwellings and outbuildings

Policy D3 – Protecting living conditions

1.3 **Supplementary Planning Document**

North Hertfordshire Design Guide 2011

Urban Design Assessment for Hitchin 2007

2.0 **Relevant Site History**

2.1 96/00247/1 - Change of use of first and second floor to residential unit. Single storey extension to ground floor shop (as amended by drawing no 95/49/2A received on 15.4.96). Conditional Permission.

98/00719/1 - Change of use from shop with offices on two floors over to shop with 2 two-bedroom self-contained flats. Conditional Permission.

98/01178/1 - Change of use from retail to Class A3 (Hot Food). Refused.

99/00343/1 - Change of use of part of ground floor from Class A1 (Retail) to Class A3 (Hot Food). Appeal Allowed (A/99/1028513/P7).

00/00119/1 - Section 73 Application: Variation of condition 3 (opening hours) planning permission no. 99/0343/1 granted on appeal 1/12/99. Conditional Permission.

00/01560/1AD - Front and side internally illuminated fascia sign, one front internally illuminated projecting sign (as amended by drawing no. NP/1364/8 - 01c received 18.12.00). Conditional Consent.

3.0 **Representations**

3.1 **Neighbour Consultation** – One objection has been received from no.8 Orlando Close, Hitchin and raises the following concerns:

- ☐ Loss of wonderful brickwork replaced by grey imitation wood cladding which is not in keeping with the building or surrounding area.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The application site comprises of a three-storey building which occupies a prominent position fronting the north side of Nightingale Road, which is part of the A505 through Hitchin and signposted as linking Luton, Bedford and Stevenage to the west with Letchworth and Baldock to the east. Immediately to the west of the premises is a small roundabout where Whinbush Road joins from the south.

4.1.2 Nightingale Road benefits from a mix of planning uses at ground floor level many with residential accommodation above. The application site benefits from planning approval for a hot food establishment known as 'Papa Johns' at ground floor level with two residential flats above known as nos. 33a and 33b Nightingale Road. The surrounding area is predominantly residential.

4.1.2 The application site is within the settlement boundary for Hitchin where development is generally acceptable subject to policy requirements.

4.2 **Proposal**

4.2.1 Installation of external insulation and cladding. (Development already carried out).

4.3 **Key Issues**

4.3.1 The key issues for consideration are as follows:

- The acceptability of the design of the proposed development and its resultant impact on the character and appearance of the area.
- The impact that the proposed development would have on the environment.

Design and Appearance:

4.3.2 The objectives of the National Planning Policy Framework (NPPF) include those seeking to secure the creation of high quality, beautiful and sustainable buildings and places (Section 12 – Achieving well-designed places). Paragraph 131 of the NPPF states that *“Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”*. In this

regard, Policy D1 and D2 of the North Hertfordshire Local Plan are consistent with the objectives set out within the NPPF.

- 4.3.3 The application seeks the retention of cladding which has been installed to some of the external faces of the building.
- 4.3.4 The existing commercial façade is retained, with the original brickwork at ground and first floor levels having been concealed by the use of a horizontal composite light grey cladding material. In terms of the use of different materials in the area, there is evidence of the use of render to no.30 Nightingale Road which lies to the west of the application site and to no.147 Nightingale Road which lies opposite the application site to the south, there is no evidence of the use of cladding which is considered an inappropriate material in this location. In terms of building itself, it is accepted that there is a variety of different building styles in the immediate vicinity, however traditional brickwork is a prevailing pattern which can be seen to dominate the built form along this particular stretch of Nightingale Road albeit with a few exceptions to this and therefore provides a sense of local character and identity to the area.
- 4.3.5 Policy D1 of the NHLP provides support to development which achieves high quality design which enhances the public realm and responds positively to the site and local context taking into consideration in this case, the use of materials.
- 4.3.6 The NHC Design SPD and Urban Design Assessment for Hitchin both show support for the use of similar, high-quality materials which seek to enhance the public realm.
- 4.3.7 Section 12 of the NPPF supports good design to ensure that development will add to the overall quality of the area, be visually attractive and sympathetic to the local character, including the surrounding built environment and to maintain a strong sense of place, using materials to create attractive, welcoming and distinctive places to live, work or visit. Section 12 goes on to state that 'Development that is not well designed should be refused, especially where it fails to reflect local design policies...'.
- 4.3.8 I am satisfied that the development fails to meet both local and national planning policies.

Impact on Neighbouring Properties:

- 4.3.9 A core planning principle set out in the NPPF is to always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. This principle is reflected in the provisions of Policy D3 of the NHLP.
- 4.3.10 The use of composite cladding to some of the external faces of the building has a detrimental impact on the visual amenity of the area which in turn impacts on existing residential amenity in relation to health and well-being.

Highways and Parking:

- 4.3.11 The proposed development does not include an increase in the number of bedrooms, therefore there would be no car parking issues arising from the proposed development.

Biodiversity Net Gain (BNG)

- 4.3.12 This development is considered exempt from BNG Legislation, defined under article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, due to it falling under the scope of the 'de minimis' exemption.

Environmental Implications:

- 4.3.13 Section 14 of the NPPF sets out how the planning system should support the transition to a low carbon future. The principles set out in Section 14 are reflected in Policy D1 of the North Herts Local Plan, which sets out that development proposal should take all reasonable opportunities to reduce energy consumption and waste, retain existing vegetation and propose new appropriate planting, and future proof for changes in technology and lifestyle.
- 4.3.14 The proposed development, would have no significant implications for the local environment in terms of carbon emissions and therefore would be generally in compliance with Section 14 of the NPPF and Policy D1.

4.4 **Conclusion**

- 4.4.1 The use of cladding to the external finish of such a prominent building is considered highly unsympathetic to the original building and to the character and appearance of the surrounding area by failing to be of a high quality design and failing to enhance the local character and identity of the area in which the building is situated contrary to Policy D1 of the NHLP 2011-2031, North Hertfordshire Supplementary Planning Document (SPD) 2011, the Urban Design Assessment for Hitchin 2007 and Section 12 of the NPPF 2024.

4.5 **Alternative Options**

- 4.5.1 N/A

4.6 **Pre-Commencement Conditions**

- 4.6.1 N/A

5.0 **Recommendation**

- 5.1 That planning permission be **REFUSED** for the following reasons and that formal enforcement action be commenced to ensure the cladding is removed and the building restored to its former appearance.

By reason of its appearance, the use of cladding to the external finish of such a prominent building is considered highly unsympathetic and harmful to the visual amenity, character and appearance of the locality in which the building is situated contrary to Policy D1 of the North Hertfordshire Local Plan 2011-2031 and Section 12 of the NPPF 2024.

Proactive Statement:

Planning permission has been refused for this proposal for the clear reasons set out in this decision notice. The Council has not acted proactively through positive engagement with the applicant as in the Council's view the proposal is unacceptable in principle and the fundamental objections cannot be overcome through dialogue. Since no solutions can be found the Council has complied with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Signed  Anne McDonald Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 8 January 2025	