DELEGATED FILE NOTE

CASE OFFICER: …Tom Donovan……

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
18/01060/LDCP	Use of ground floor only from A1 (shops) to A2 (financial and professional services). No alterations to shop front required	16 Churchyard Hitchin Hertfordshire SG5 1HR

Submitted Plan Nos

1.0 Policies

1.0 Policies

1.1 None relevant.

2.0 Relevant History

2.1 None relevant.

3.0 Representations

3.1 No consultation required.

4.0 Planning Considerations

4.1 **Site & Surroundings**

4.1.1 16 Churchyard is a retail unit situated within Hitchin town centre. The property is unlisted but is located within the Hitchin Conservation Area.

4.2 **Proposal**

4.2.1 Change of use from A1 (shops) to A2 (financial and professional services). The proposed use would

A2 is defined on the Planning Portal as:

"Financial services such as banks and building societies, professional services (other than health and medical services) and including estate and employment agencies. It does not include betting offices or pay day loan shops - these are now classed as "sui generis" uses (see below)."

4.3 **Key Issues**

4.3.1 The key issue for consideration is whether the proposed conversion would require a specific planning permission or be considered 'permitted development' in line with the Town and Country Planning (General Permitted Development) Order.

4.3.2 Section 55 of the 1990 Town and Country Planning Act states that the meaning of development is inter-alia, the making of a material change of use of buildings or land. In this case, the change of use from A1 to A2 would be a material change of use and therefore planning permission is required.

4.3.3 However, the change of use from A1 (shops) to A2 (financial and professional services) would be a permitted change and therefore granted general planning permission under Schedule 2, Part 3, Class D of The Town and Country Planning (General Permitted Development) (England) (Order) 2015.

4.4 **Conclusion**

4.4.1 The proposed change of use would constitute development based on the definition of development as set out in Section 55 of the T&CPA 1990. However, the change of use from A1 (shops) to A2 (financial and professional services) would be permitted under Schedule 2, Part 3, Class D of The Town and Country Planning (General Permitted Development) (England) (Order) 2015.

5.0 Recommendation

5.1 The Lawful Development Certificate should be **GRANTED**.

1. The proposed change of use would constitute development based on the definition of development as set out in Section 55 of the T&CPA 1990. However, the change of use from A1 (shops) to A2 (financial and professional services) would be permitted under the general planning permission provided by Schedule 2, Part 3, Class D of The Town and Country Planning (General Permitted Development) (England) (Order) 2015.

Signed  Simon Ellis Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 1 May 2018	