

DELEGATED FILE NOTE

CASE OFFICER: ...Tom Rea.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/00255/FP	Change of use first floor office space to create two flats, first floor rear extension and conversion of second floor to create one flat including roof extension and alterations to fenestration.	150-152 London Road Knebworth Hertfordshire SG3 6EY

Submitted Plan Nos

2087_YPUK_P001 2087_YPUK_P002 P5 2087_YPUK_P003(A) 2087_YPUK_P003(B)
2087_YPUK_P004(A) 2087_YPUK_P004(B) 2087_YPUK_P005(A) 2087_YPUK_P005(B)
2087_YPUK_P005(C) 2087_YPUK_P006(A) 2087_YPUK_P006(B)

1.0 Policies

1.0 Relevant Planning Policy

- 1.1 National Planning Policy Framework (December 2024)
 - Chapter 2: Achieving sustainable development
 - Chapter 5: Delivering a sufficient supply of homes
 - Chapter 6: Building a strong, competitive economy
 - Chapter 9: Promoting sustainable transport
 - Chapter 11: Making effective use of land
 - Chapter 12: Achieving well-designed places

Chapter 14: Meeting the challenge of climate change
Chapter 15: Conserving and enhancing the natural environment
Chapter 16: Conserving and enhancing the historic environment

1.2 North Herts District Local Plan 2011 - 2031

SP1 - Sustainable development in North Hertfordshire;
SP2 - Settlement Hierarchy;
SP8 - Housing;
SP9 - Design and Sustainability;
SP10 - Healthy Communities;
SP11 - Natural resources and sustainability;
T2 – Parking;
D1 - Sustainable design;
D3 - Protecting living conditions
D4 – Air Quality
NE4 – Bio-diversity and geological sites;
NE7 - Reducing flood risk;
NE8 - Sustainable drainage systems;

Supplementary Planning Documents

SPD – Vehicle Parking at New Developments;

1.3 Knebworth Neighbourhood Plan (Made in May 2022)

- ☐ Policy KBBE4 Design
- ☐ Policy KBBE2 Sustainable Buildings
- ☐ Policy KBEF4 Important Views and Character Areas
- ☐ Policy KBLE3 Retail Area and Existing Businesses

2.0 **Site History**

- 2.1 08/03024/1: Change of use of first floor from residential to office. Insertion of doorway into ground floor shopfront. Relocation of existing staircase and associated provision of new glazed roof canopy and stainless steel balustrading. Granted 24th March 2009.
- 2.2 Adjacent history – 25/00256/PNMA: Change of use from commercial unit (first floor) into one 1 bedroom flat.

3.0 **Representations**

- 3.1 Knebworth Parish Council: Summaries their comments as follows:

'The proposed change of use from commercial to residential contradicts key policies in the Knebworth Neighbourhood Plan and threatens:

1. The viability of the village centre as a retail and service hub.

2. Local employment opportunities and the ability to support new businesses.
3. The identity of Knebworth as a community rather than a commuter town.
4. Existing infrastructure, which is already under strain.

Recommendation: Any development should prioritise mixed-use spaces rather than full commercial-to-residential conversion, ensuring long-term economic sustainability while meeting housing needs.

The Council also wished it noted that this property should have been openly marketed for commercial purposes but remain unconvinced that this has been the case.'

3.2 Herts Highways: Does not wish to restrict the grant of permission subject to conditions and informatives.

3.3 NHDC Waste Services
Query lack of waste service provision.

3.4 NHDC Environmental Health: Recommends a condition re noise mitigation

3.5 Site Notice/Adjoining occupiers: Objection received from occupier of No. 8 Milestone Road raising the following comments:

'The Knebworth Neighbourhood Plan states under 5.4 - policy KBLE3 "In the Retail Area, development requiring planning permission should retain retail or service uses. Also in the Retail Area, existing premises with ground floor access should retain an active retail frontage..."

It is with experience, and general understanding, that the properties have been left vacant, and the occupation of these buildings made prohibitive either by lack of effort to let the units to new tenants, or to reasonably sell the properties to anyone that could use them as commercial properties.

It is vital to our high road that we do not lose retail space, and have these properties available to new businesses.'

3.6 Procedural matter

3.7 Given the objection above from the Parish Council in accordance with Section 8.4.5 C) (ii) of the Council constitution Ward Councillors were consulted on 27th March to establish whether they wished to support the Parish Council objection. No response was received in support of the objection therefore this application may be determined under powers delegated to the Development and Conservation Manager.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The application site is an existing two-storey commercial building with rear car park on the west side of London Road, Knebworth. The site is accessed through a vehicular access from London Road. The building is designated as within a retail area in the Knebworth Neighbourhood Plan and within a Local Centre under Policy ETC6 of the North Herts Local Plan.

4.2 **Proposal**

- 4.2.1 Change of use first floor office space to create two flats (2 x 2 bed), first floor rear extension and conversion of second floor to create one flat (1 x 1 bed) including roof extension and alterations to fenestration.

4.3 **Key Issues**

4.3.1 Principle of the development

- 4.3.2 Policy ETC6 of the Local Plan sets out 2 criteria. The first limits ground floor uses to shops, financial and professional services, café or pubs, takeaways or F1 and F2 uses at ground floor level. The second criteria requires the centre to continue to provide a range of uses including shops to meet day to day needs and maintain vitality and viability. The proposals will retain the existing ground floor uses and would not interfere with the vitality or viability of the centre if fact the existing upper floors are vacant and their re-use for residential will bring in more people who will use local services. The proposals therefore do not conflict with Policy ETC6.

4.3.3 Policy KBLE3 of the Knebworth Neighbourhood Plan (KNP)

‘In the Retail Area, development requiring planning permission should retain retail or service uses. Also in the Retail Area, existing premises with ground floor access should retain an active retail frontage and new buildings should create new active retail frontage.’

A service use would include offices however the upper floors are currently vacant office space and according to the agent has been vacant for 6 years. The agent advises that the reason for this vacancy is that such office space is unaffordable to small and medium sized businesses due to business rates, rents and utilities. No marketing evidence has been provided by the agents to support the claimed lack of interest in office space in this location however it is probably the case that post covid, working from home has become more prevalent thus making the re-use of the above floors for office use even less likely. These factors, together with the relatively small area involved and its previous use as residential accommodation, would make it difficult to justify a refusal of planning permission based on the proposal being in part conflict with Policy KBLE3 of the KNP (as it complies with the second part of the policy in that an active retail frontage will be maintained).

- 4.3.4 As mentioned above it should be noted that the first floor was originally one large three bed roomed flat before its conversion to offices under planning permission ref: 08/03024/1. Therefore the proposals are returning to its original use.

4.3.5 Overall I do not consider that there is any significant conflict with local plan retail policies particularly as the ground floor retail units are not affected by this proposal.

4.3.6 Design and Appearance

4.3.7 The most significant part of the proposals is the increase in height to the roof above No. 152 London Road and its change from an existing hip to gabled roof form. The increase in roof height and eaves height is approximately 1.2 metres with two new windows set within the forward facing gable end.

4.3.8 Gable end roofs facing the highway are a very common feature along this part of London Road and the principle of a third storey with similar windows set within the gable is established a few doors along the road at the McCarthy & Stone care home development. Matching materials are to be used (i.e. red brick and plain tile with sash windows).

4.3.9 At the rear of the site there would be a small infill extension with a flat roof. This is a discreet part of the site with only limited views of its from the private car park. The adjacent gables either side will screen this infill extension to a large extent.

4.3.10 The rear car parking area would be largely unchanged except for a small bin storage area discreetly sited behind an existing single storey rear projection.

4.3.11 The existing buildings are in a poor state of repair and the proposals will significantly enhance the appearance of the site. Overall I consider that the proposals would be acceptable in design terms and would generally comply with Policies SP9 and D1 of the Local Plan and Policy KBEE4 of the KNP.

4.3.12 Living conditions

4.3.13 Each of the new flats will meet or exceed the space standards set out in the Governments' 'Technical housing standards – nationally described space standard (2015).

In terms of external amenity area there is no provision however the site is only a short walk from Knebworth Recreation ground to the north.

4.3.14 London Road carried a high volume of through traffic and there can be high levels of road traffic noise. The Council's Environmental Health officer has requested a noise report and a suitably worded condition is recommended.

4.3.15 There are no major windows on the McCarthy & Stone development nearest the proposed roof works above No. 152 London Road and the existing pedestrian access will be maintained. Any windows that are on the flank elevation of the McCarthy & Stone site are much further back into their site overlooking the car park of at the rear of No. s 150 – 152 London Road. It is therefore considered that there will be no impact on neighbouring residents complying with Policy D3 of the Local Plan.

4.3.16 Highway matters

4.3.17 The rear car park is accessed through a narrow accessway. The amended site plan (P002 Rev 5) has demonstrated adequate sightlines of 43m x 2.4m in both directions along London Road. The plan also reduces the number of car parking spaces to allow for safe entering into the car park and a turning area is shown. Waste bins will be brought to the kerb line as per the current practice. A waste storage area is shown. The applicant has agreed to provide a cycle store via a planning condition. There are 9 parking spaces for the three flats and two shop units which is more than sufficient in this accessible location.

4.3.18 The Highway Authority have raised no objections to the proposals as amended.

4.3.19 BNG and climate change

4.3.20 There is no biodiversity habitat on the site and therefore this proposal is exempt from the requirement to achieve a 10% net gain in biodiversity under the Environment Act legislation

4.3.21 By reason of its small scale the proposal would have no significant impact on local climate change.

4.4 **Conclusion**

4.4.1 The proposals would maintain retail provision at ground floor level and make more efficient use of the site. Three new small housing units would be delivered in a sustainable location, supporting local services and community facilities and providing a boost to local housing supply. There are no adverse impacts on the local highway network. Accordingly, the proposal is acceptable in planning and highway terms.

4.5 **Alternative Options**

4.5.1 None applicable

4.6 **Pre-Commencement Conditions**

4.6.1 I can confirm that the applicant is in agreement with the pre-commencement conditions that are proposed.

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.

3. The extensions hereby permitted shall be built in external materials to match the existing building as stated on the submitted application forms unless otherwise agreed in writing by the LPA.

Reason: To protect the visual amenities of the locality and to comply with Policies D1 and D2 of the North Hertfordshire Local Plan 2011 to 2031.

4. Prior to the commencement of the development hereby approved a noise assessment (to include any mitigation measures such as acoustic glazing and mechanical ventilation) 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 satisfactory living standards for the occupiers of the proposed dwellings given the potential for noise disturbance from the adjacent highway and surrounding commercial uses. In order to comply with Policies D1 and D3 of the North Herts Local Plan.

5. Prior to the first commencement of the development hereby permitted a plan of cycle parking should be submitted in accordance with (Cycle Infrastructure Design' DfT Local Transport Note 1/20 (July 2020) and approved in writing by the Local Planning Authority. Prior to first occupation the approved scheme shall be fully implemented and thereafter retained for this purpose.

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)

6. No development shall commence until a Construction Management Statement has been submitted to and approved in writing by the Local Planning Authority, including elements of the CLOCS standards as set out in the Highway Authority's Construction Management template.

Thereafter the construction of the development shall only be carried out in accordance with the approved Plan: The Construction Management Statement shall include details

of:

Access arrangements to the site.

Traffic management requirements.

Construction and storage compounds (including areas designated for car parking, loading /unloading and turning areas).

Siting and details of wheel washing facilities if applicable.

Cleaning of site entrances, site tracks and the adjacent public highway.

Timing of construction activities (including delivery times and removal of waste) and to avoid schoolpick up/drop off times.

Provision of sufficient on-or-offsite parking prior to commencement of construction activities.

Construction vehicles must not park on London Road which would deprive residents or customers for the several businesses along London Road.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

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.

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.

Informative/s:

1. Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.
Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

AN2) Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the County Council website at:
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

AN3) Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

Signed  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 25 April 2025	