DELEGATED FILE NOTE

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

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
18/00164/FP	Change of use of former office building to provide 6 flats (2 x 1-bed and 4 x 2-bed) on the ground , first and second floors with basement level storage, associated internal works, removal of front entrance ramp, front railings, car parking, rear mechanical gate, landscaping and ancillary works.	21 High Street Baldock Hertfordshire SG7 6BD

Submitted Plan Nos

DP754/10 DP754/05B DP754/07A Location plan DP754/02B DP754/06E

1.0 Policies

LP8 Development in Towns

LP16	Areas of Archaeological Significance
LP26	Housing Proposals
LP55	Car Parking Standards
LP57	Residential Guidelines and Standards
SECT12	Conserving and enhancing historic enviro
SECT6	Delivering Wide Choice High Quality Home
SECT7	Requiring Good Design
SPDDS	Design Supplementary Planning Document
SPDVP	Vehicle Parking at New Development
XD1	Sustainable Design
XD3	Protecting Living Conditions
XHE1	Designated Heritage Assets
XHE4	Archaeology
XHS3	Housing Mix

XT2 Parking

2.0 **Site History**

2.1 17/00173/1 - Change of use of former office building to provide 5 flats (1 x 1-bed, 3 x 2-bed and 1 x 3-bed) on the ground , first and second floors with basement level storage, associated internal works, removal of front entrance ramp, front railings, car parking, rear mechanical gate, landscaping and ancillary works. (Amended and additional plans received 10/05/17, 26/05/17 & 17/07/17) – Conditional permission 09.08.2017

3.0 **Representations**

3.1 Conservation Officer – Objection

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The application site is a large former Manor House, positioned on the east side of the High Street, within the town centre of Baldock. The building is Grade II* listed, and has an imposing front facade, with brick detailing and sash windows. The building has been extended at the rear, with a both a two storey element and more recent long thin, single storey element. There is a rear garden area, hardstanding in the frontage and a public car park rear of the building. The building is currently vacant, and was last used as offices.

4.2 **Proposal**

4.2.1 This application seeks planning permission for the conversion of the building into six self-contained flats, with internal and external works to achieve this. A large proportion of the works to facilitate the conversion have been approved in the extant planning permission referenced 17/00173/1. The extant permission holds great weight in favour of those parts of the proposed development which are to remain unchanged.

4.2.2 In terms of the remit of this application, permission above and beyond the extant position is sought for the intensification of the residential use of the building, the erection of a pair of new electric gates and fencing along the rear boundary, hard surfacing, and the erection of a new boundary fence around a new private garden area.

4.2.3 It is noted that the drawings provided are incomplete for the purposes of the proposed development, in that existing and proposed floor plans for any floors other than the ground floor and basement have not been provided. In the event of approval, permission will be sought to fill the gaps in plans from the previous extant permission. The level of detail provided is sufficient in order to assess the merits or otherwise of the proposed development.

4.3 **Key Issues**

Principle

4.3.1 Given the location of the site within a settlement in which development to meet the needs of the district is promoted, there is no objection to the additional residential unit in principle.

Living conditions

4.3.2 It is not considered that the additional residential unit would have any adverse impact on the living conditions of the occupiers of adjoining premises. The additional unit itself would, subject to boundary treatments details, mutually respect the living conditions of the residential unit itself, as well as other residential units within the site. Limited details have been given about the boundary treatments proposed in terms of height, although the application form states lap larch fences, and the DAS suggests a low fence. Notwithstanding this, the fence would need to be a reasonable height to restrict overlooking and loss of privacy. Such details could be requested by way of condition in the event of approval.

4.3.3 Whilst no response has been received from consultation with the Environmental Health team in terms of noise and nuisance, a response from the previous extant permission requested a noise mitigation condition. This condition was not imposed on the extant permission by reason of the incompatibility with the listed status of the building. It is not considered that a condition could be reasonably imposed upon any potential grant of this application based on the additional unit.

Design and Heritage

4.3.4 Limited details have been given about the boundary treatments proposed in terms of height, although the application form states lap larch fences, and the DAS suggests a low fence. Notwithstanding this, the fence would need to be a reasonable height to restrict overlooking and loss of privacy. Furthermore, whilst basement storage is suggested for the dwellings, it would likely be impractical to store garden equipment for maintenance, and the subdivision of the curtilage of the building may give rise to outbuildings reasonably required for maintenance (albeit these would be subject to planning scrutiny by reason of the requirement for planning permission).

4.3.5 The Manor House enjoyed a curtilage that was commensurate to the building's status and it is only in more recent times that its curtilage has been significantly reduced. To reduce the garden curtilage to arguably the most prestigious unit to an approximately 4m deep patio would occasion harm to the listed building by reason of further reductions in the curtilage in which the building is experienced. The level of harm resultant from the additional enclosure of the curtilage of the building, alongside the visible division of the curtilage, would be less than substantial.

4.3.6 There is an established extant position which was extraneously negotiated to a balanced decision in favour of the subdivision of the building to five residential units. Whilst the balance was accepted based on public benefit of a long term viable use, the extent of conversion required for a long term viable use remained questioned by the Conservation Officer.

4.3.7 Regardless of how one assesses the impact of the harm resultant from the proposed development, and consequent public benefits balance act, the end result would remain consistent. That is to say that, if the balance were between the additional harm

resultant from the additional development required to provide the additional unit, and public benefits of the development additional unit only, or if the whole scheme were reassessed in terms of harm as a whole, and public benefits as a whole, the end result would remain. In the interest of ease of assessment the public benefits of the scheme over the extant position is hereby balanced against the aforementioned harm.

4.3.8 The reasoning put forth in the Design and Access Statement mentions that the *"extent of Flat 1 can now be more clearly understood and this with initial marketing has suggested the created flat will be not only awkward in its layout but unusable to an average family"*. No additional marketing information has been provided. Furthermore, no further information has been provided that evidences reasonable alternative layouts could result in the unit being more 'usable'.

4.3.8 This lack of evidence, alongside the previous negotiations and comments in relation to the previous, hesitantly, accepted public benefits in light of the extent of residential subdivision, it is not considered that public benefits exist which would outweigh the less than substantial harm to the heritage asset identified above. The less than substantial harm is not outweighed by any public benefits, with specific reference to the under-evidenced requirement for the subdivision of flat 6 to ensure a long-term viable use of the asset, and the limited public benefit of an additional dwelling unit.

Parking and Highways

4.3.9 The level of parking is not proposed to be increased within this application. Notwithstanding this, the proposed 12 on-site parking spaces is considered sufficient commensurate to the use of the resultant building. This is especially the case given the sustainability of the location of the building in terms of alternative transport options, alongside the provision of on-site cycle parking within the site for the proposed dwellings.

Waste storage and collection

4.3.10 The proposed site plan provided has not increased the bin store provisions over the extant permission. It is considered that there would be sufficient space within the site to provide such bin storage without causing harm to the setting of the listed building. Accordingly, a condition would need to be imposed on any potential permission granted pursuant to this application for further details and implementation of sufficient bin storage facilities for the proposed dwellings.

Any other matters

4.3.11 A condition was imposed upon the extant permission which required further details and subsequent implementation of repairs to the steps to the front of the building. It is considered that such a condition would meet the six tests of conditions within paragraph 206 of the National Planning Policy Framework in the event of the approval of this application.

4.4 **Conclusion**

4.4.1 The proposed works would require the subdivision of the curtilage associated with the heritage asset, which currently influences the experience and interest of the listed building. The less than substantial harm resultant from the development to the setting of the heritage asset would not be outweighed by any public benefits. As a result, the proposal conflicts with the aims of Policy HE1 a. of the North Hertfordshire Local Plan 2011 - 2031 (Proposed Submission, October 2016, Sections 66 of the Planning (Listed

Buildings and Conservation Areas) Act 1990, and Section 12 of the National Planning Policy Framework 2012.

5.0 **Recommendation**

5.1 That the works be **REFUSED** for the following reasons:

1. The proposed development would occasion less than substantial harm to the significance of the setting of the heritage asset by reason of the additional boundary treatments both required by reason of the additional subdivision of the ground floor of the building and the superfluous boundary treatment to the rear boundary of the site. The less than substantial harm to the significance of the heritage asset would not be outweighed by any public benefits, as it is not considered that the additional dwelling is required to ensure the optimum use and long-term preservation of the heritage asset. Accordingly, the proposal fails to accord with the policy provision of the development plan, with specific reference to Policy HE1 a. of the North Hertfordshire Local Plan 2011 - 2031 (Proposed Submission, October 2016), Sections 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and Section 12 of the National Planning Policy Framework 2012.

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 (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Signed  Tom Rea Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 18 May 2018	