



**PLANNING STATEMENT
ON BEHALF OF
BELLBOROUGH LTD**

**REDEVELOPMENT OF
9 – 10 HIGH STREET, HITCHIN, SG5 1BH**

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Job No: 151

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1. INTRODUCTION, BACKGROUND AND PRE-APPLICATION ADVICE

i) Introduction and Background

- 1.1 This Planning Statement (“the / this statement”) has been prepared by PowerHaus Consultancy Ltd, on behalf of the applicant Bellborough Ltd, as part of a planning application (“the/ this application”) for the proposed redevelopment at 9 – 10 High Street, Hitchin, SG5 1BH (“the Site”). The application proposes the demolition and redevelopment of the existing building, to continue the retail uses fronting the High Street (Class E) and the creation of 44 residential units to the rear and above the property with vehicular access from Paynes Park.
- 1.2 The site is located on the west side of Hitchin High Street within the planning jurisdiction of North Herts District Council (NHDC). A site location plan showing it in the context of the surrounding area, is submitted as part of this application and attached at **Appendix 1**.
- 1.3 The description of development for the application is as follows:

“Demolition and redevelopment to provide 44 residential apartments, including 325 sqms of Class E floorspace at ground floor fronting the High Street, landscaping, amenity and associated parking”

- 1.4 Further details of the application are provided in Section 3 of this statement and on the drawings and Design and Access Statement (DAS) submitted as part of the application.

Purpose and Format of the Planning Statement

- 1.5 The purpose of this Statement is to provide information to allow for the necessary consideration of the application against all relevant planning policy and all other material considerations. It sets out how the relevant policies and material considerations have been taken into account.
- 1.6 The Statement forms part of the documentation submitted as part of the application and is to be read in conjunction with the following submitted application documents listed in Table 1.1 below and the submitted drawings listed on the Drawing Schedule attached at **Appendix 2**.

Table 1.1: List of Supporting Documentation

Document Title	Author
Application Form, Notices and Ownership Certificates	PowerHaus Consultancy
Site Location Plan	TiggColl Architects
Design and Access Statement	TiggColl Architects
Existing and Proposed Drawings	TiggColl Architects
Planning Statement	PowerHaus Consultancy
Heritage Statement	PowerHaus Consultancy
Statement of Community Statement	PowerHaus Consultancy
Transport Statement and Waste Management Plan	Transport Planning Associates
Travel Plan	Transport Planning Associates
Surface Water and SuDs Statement	Price & Myers
Energy Statement	Integration
Overheating Strategy Report	Integration
Preliminary Ecological Appraisal and Biodiversity Net Gain	Ecology Partnership
Archaeology Report	Orion Heritage Ltd

Ground Conditions and Contamination Report	Geotechnical & Environmental Associates Ltd
Fire Strategy and Statement	Trigon
Noise Assessment	KP Acoustics
Air Quality Assessment	Redmore Environmental
Daylight Sunlight Report	Right of Light Consulting
Sustainability Statement	T16 Design
Financial Viability Assessment	Monatgu Evans

- 1.7 **Section 2** of this Statement describes the site and surroundings and the relevant planning history; **Section 3** sets out the development proposal; **Section 4** sets out the relevant planning policies; **Section 5** provides an assessment of the application against relevant planning policies; and **Section 6** provides a summary and conclusions.

ii) Pre-Application Advice

- 1.8 The application follows the submission of a pre-application request (reference 22/00976/PRE). Feedback was received from Planning Officer Anne McDonald on 30 September 2022, which is attached at **Appendix 3**. A summary of the key point raised is provided below.
- Concerns were raised regarding the density and scale of the proposal.
 - The Case Officer and Conservation Office were concerned about the lack of green and open space proposed within the development.
 - The Case Officer objected to the enclosing of the footpath link through noting that having this route partly next to tall walls and partly going under/ through the building would make this walkway less attractive to users.
 - No objection was raised to the provision of one parking space per unit along the cycle parking also provided.
 - Consideration will need to be given to possible adverse overlooking, loss of privacy and other general amenity considerations from/ to existing neighbouring buildings and within the development.
- 1.9 Further details of the pre-application advice received from officers is contained in the separate Statement of Community Involvement submitted with the application. It also details how the development has responded to the feedback received and details of the public consultation feedback received and also responded to.

2. SITE CONTEXT AND PLANNING HISTORY

Site and Surroundings

- 2.1 The application site comprises a three-storey building, located on the west side of Hitchin High Street. The rear of the site can be accessed from Paynes Park, which provides vehicular access to the site. The east of the site currently consists of two ground floor retail units fronting the High Street. The west of the site comprises a disused car park area with delivery and servicing access to the retail units. The car park was previously used as staff parking for the retail units and not for public use. The High Street comprises predominantly retail uses on the ground floor with a mix of uses above. To the rear of the site along Paynes Park, the surrounding area is mixed with schools, a foodstore and increasing numbers of residential properties in a mix of houses and flats. A site location plan showing the site in the context of the surrounding area is attached at **Appendix 1**.
- 2.2 Historically the site was occupied by Perks and Llewellyn the lavender growers from 1823 – 1961. In 1964 the shop was demolished and redeveloped for Woolworths. Woolworths occupied the site from 1964 until December 2008 when the shop closed. In 2011, the former Woolworth's was split into two stores on the ground floor. This is how the site remains today.
- 2.3 The site is located within the urban area of Hitchin and has good public transport accessibility. Bus routes are readily available on Bancroft and Hitchin Train Station is located approximately 1.15km away, providing access to London King Cross, Cambridge, Brighton and Horsham among other places.
- 2.4 The site is located within Hitchin Conservation Area Character Area 2A. The existing building is not listed, however, there are a number of listed buildings located adjacent to the site including 2 Payne's Park (Grade II), The Cock Inn (Grade II), Green Hythe, 2A Paynes Park (Grade II), 3 and 4 High Street (Grade II), 5 and 6 High Street (Grade II), 19 High Street (Grade II), 21 High Street (Grade II), 26 High Street (Grade II) and St Mary's Church (Grade I), which is some distance from the site located behind the south eastern edge of the High Street frontage.
- 2.5 The site is located within the Town Centre Boundary and is within the designated primary shopping frontage. The site is located within Flood Zone 1 (lowest probability of flooding).

Planning History

- 2.6 A desk-top based search has been undertaken with regards to the planning history for the site. A summary of the available planning history for the site can be found in Table 2.1 below:

Table 2.1: Relevant Planning History for 9 – 10 High Street Hitchin

Application Reference	Description of Development	Decision
11/01868/1AD	Replacement internally illuminated fascia and projecting signs to no 9 High Street	Approved 16/09/2011
11/01922/1	Alterations to shopfront following sub-division of existing retail premises to No.9 High Street.	Approved 16/09/2011
11/00785/1AD	Replacement static internally illuminated fascia and projecting signs to no. 10 High Street and static internally illuminated box sign over rear door.	Approved 19/05/2011

11/00895/1	Replacement shopfront to no. 10 High Street following subdivision of existing premises together with two rear escape/loading doors in place of existing shutters.	Approved 19/05/2011
05/00818/1AD	Fascia sign with halo illuminated letters and double sided non illuminated projecting sign. Two non-illuminated panel signs at rear of store. (As amended by plans received 19.07.05, drawing no. Woolworths/006/2006A.)	Approved 26/07/2005
90/00185/1	New pedestrian access to Paynes Park and covered walkway.	Approved 22/03/1990
85/00939/1AD	Externally illuminated fascia sign.	Approved 27/08/1985
85/00938/1	Installation of new shopfront.	Approved 27/08/1985
85/00093/1	Fascia sign with illuminated lettering.	Approved 07/03/1985

3. DEVELOPMENT PROPOSAL

Introduction

- 3.1 This section of the Planning Statement provides an overview of the proposal and discusses the design rationale for the development.
- 3.2 The application proposes the demolition and redevelopment of the existing building to provide 44 residential units and 325sqm of Class E floorspace at ground floor level fronting the High Street, including landscaping, amenity and associated parking. It seeks to optimise the site to deliver new homes and re-establish an active retail frontage. Further details of the proposed development are contained within the Design and Access Statement and proposed drawings prepared by TiggColl, submitted as part of this application.

Residential Development

- 3.3 The development will provide a total of 44 new residential units, comprising a mix of 21 x 1 bedroom units and 23 x 2 bedroom units.
- 3.4 The detailed unit mix is set out at table 3.1 below.

Table 3.1: Proposed Accommodation Mix

Type	No. Units
1 Bedroom Flat	21
2 Bedroom Flat	23
Total	44

- 3.5 In accordance with Policy HS5, 39 of the units have been designed to meet the M4(2) Accessible and Adaptable Standard, in addition 5 apartments have been designed to meet M4(3) Wheelchair User Standard. All units accord with the Nationally Described Space Standards (2015). The submitted floor plans show the proposed number and layout of units on each of the floors.
- 3.6 The application proposes significant areas of private amenity space in and around the residential buildings and landscaped areas to provide space for residents and their visitors to enjoy.
- 3.7 41 of the 44 units have access to private amenity space in the form of balconies. The balconies are recessed to provide privacy to the apartments whilst looking onto the courtyards. The recessed design of the balconies ensures bright and open living spaces whilst helping to reduce overheating and glare in summer months.
- 3.8 There are three courtyards linked by a pedestrian path through the site, providing an abundance of community amenity space alongside the private amenity provided by balconies. There is a 'community' courtyard with seating spaces and micro-allotment planter beds, providing a sociable space for residents to come together. A central 'open' courtyard features a hardscaped area which doubles as a central meeting point and a practical space for service and emergency vehicles to turn around. The courtyard is reminiscent of a market square with the pedestrian route continuing through it via an undercroft entrance, which references the carriageway courtyard entrances prevalent in the area. The third courtyard is accessed through the carriageway undercroft and is reminiscent of a 'secret' garden. This gives a more private and secluded south facing space for residents to enjoy.

- 3.9 Units facing directly onto courtyards at ground floor are provided with seating and private planting areas at entrances to encourage residents to take personal pride in this scheme and providing a level of ownership over visible private amenity space.

Scale, Height and Massing

- 3.10 The proposed development is predominantly three to four storeys in height, in keeping with the surrounding character and massing of the local environment.
- 3.11 The proposed High Street elevation directly responds to the High Street and wider context. The stepping around the residential entrance subdivides the long horizontal elevation of the building making the building appear smaller in scale, integrating the development into the High Street. Dormers on the roof are set back from the edge of the building appear in appropriate scale to the High Street when viewed from street level compared to a flat elevation. When viewed in line with the neighbouring High Street buildings, the proposed development fits in with the strong street horizontality of the High Street.
- 3.12 The elevation at Paynes Park has been designed in the context of Poppy House. The development mirrors its position, massing and height. The roof language of the neighbouring building has been extended and responded to on Paynes Park, hence reflecting its context vertically.
- 3.13 Green Hythe, 2a Paynes Park (Grade II) is an existing cottage located half way along the Northern boundary of the site. The scale of the development has been developed to speak to the relationship between the cottage and the site. The proposed central courtyard is located South of the cottage and has been set back from the boundary in order to respond to the scale and massing of Green Hythe. The increased opening on the site to mirror the cottage's scale along with landscaping to screen the cottage from overlooking contributes to a positive relationship between the cottage and the site.

Site Layout and Landscaping

- 3.14 The proposed development has been designed to successfully integrate with the character of the surrounding environment and the context of Hitchin Town Centre, Green Hythe 2a Paynes Park, and Poppy House. The scheme also responds to the historical context of Hitchin High Street through its enhanced architectural design.
- 3.15 The High Street façade integrates with the character of the local environment through its strong horizontality and mirrored banding with the rest of the High Street, and set back dormers to reduce the perceived verticality of the building.
- 3.16 The Paynes Park elevation mirrors the roof design of Poppy House whilst the portion of the site adjacent to Green Hythe is open with planting to create a positive relationship between the cottage and the site.
- 3.17 The layout of the site responds to the character of the surrounding environment with the Paynes Park building set back from the road to reduce the impact of the scale of the proposal on Paynes Park and Poppy House. The three to four storey buildings reflect the height of the existing

buildings in Hitchin Town Centre. The core and link buildings connect the site together but reflect the character of nearby buildings in different sections of the site, for example the placement of the open courtyard opposite Green Hythe and the High Street façade providing a frontage that is in line with the High Street.

- 3.18 The overall architectural style of development reflects the character of Hitchin. Carriageway details have been incorporated into the High Street façade, the under crofts of the pedestrian pathways and the residential entrances to the apartment blocks taking cues from the carriageways prevalent in the local area. The High Street façade uses cabinet windows to reflect the historic character of Hitchin and the original site building. Pitched roofs with clay tiles mirror the character of existing buildings and reduce the perceived verticality of the development. Framed windows introduce an interpretation of traditional details and stepping allows the Tudor Bay adjacent to the residential entrance to be more prominent in the elevation and more of a legible heritage detail.
- 3.19 The landscape design of the proposal reflects the style of Hitchin. The pedestrian path is demarcated with stonework that is reminiscent of that found in Hitchin's Market Place square. Appropriate trees and planting are proposed to aid the growth of a local bee-friendly corridor. Lavender is proposed to be featured in the landscape as an ode to the local growth of lavender and distillery of lavender on site at the original building.

Access and Parking

- 3.20 Vehicular access for residential parking to the site is proposed via Paynes Park. The proposed site access junction is detailed in the Transport Statement prepared by Transport Planning Associates.
- 3.21 32 car parking spaces are proposed in the existing basement area of the site utilising the existing varying topography of the site and the lower ground level of the site to avoid additional excavation. There will be five spaces allocated for disabled users. Each unit will have access to 44 long stay bicycle spaces in accordance with the minimum cycle parking standards, located within secure bicycle stores at ground floor level. Eight of these spaces would be able to accommodate adapted/cargo cycles.
- 3.22 The retail unit will be provided with 2 long stay bicycle spaces in a secure area at the rear of the unit and a Sheffield Stand on the High Street to provide 2 short stay spaces.

Refuse and Recycling

- 3.23 There are three bin stores for the residential users, located on the ground floor and accessible from both Paynes Park and the High Street.
- 3.24 Refuse collection for the proposed retail unit would follow the existing waste collection arrangements.
- 3.25 Refuse collection for the new dwellings would take place via the proposed service area access using a private waste collection service as the site constraints would not allow a full sized

municipal refuse collection vehicle to enter and leave the site in forward gear. The waste would be stored at ground floor and would be brought forward on bin collection days.

- 3.26 A Waste Management Plan detailing how the collection of residential waste arising will be managed could be required by way of a planning condition.

Energy and Sustainability

- 3.27 The proposals seek to deliver a highly sustainable development and incorporates the following measures:

- The scheme uses passive design measures to reduce the energy consumption and environmental impact without the use of mechanical or electrical plant.
- The passive design techniques include solar orientation, natural ventilation, dual aspect design where possible, low-medium thermal mass, air tightness, and fenestration design.
- A blue roof and attenuation tank, and measures to reduce potable water use are incorporated to manage surface water in accordance with LLFA guidance.
- The surface water drainage system will be designed to meet the 1 in 100 years plus climate change rainfall event.
- 44 cycle spaces for residents will encourage sustainable transport forms along with the site's proximity to bus and rail routes.
- A Site Waste Management Plan will be in place to identify the key sources of construction waste, methods for diverting this waste from landfill, identify those responsible for doing so and to monitor performance.
- Policies will be put in place by the contractor to minimise air and water pollution from site-based activities.
- Consumption monitoring will be used in line with industry KPI benchmarks to encourage responsible resource usage and consumption reduction where possible.
- The site is exempt from a detailed biodiversity net gain assessment, but the site will incorporate several ecological enhancements such as bird boxes and bee-bricks.

- 3.28 The proposed development at 9-10 High Street reflects, and aims to go beyond, the intentions of the policy requirements in order to provide a well-designed and built development which limits its impacts on the environment both during its construction and beyond.

4. DEVELOPMENT PLAN AND OTHER MATERIAL CONSIDERATIONS

i) The Development Plan

- 4.1 Under section 70 of the Town and Country Planning Act 1990 and Section 38 of the Planning and Compulsory Purchase Act 2004, development should be determined with regard to the development plan, unless material considerations indicate otherwise. Paragraph 11c of the National Planning Policy Framework (NPPF) (2023) states that for decision-taking this means approving development proposals that accord with an up-to-date development plan without delay.
- 4.2 For the purpose of this statement, and in accordance with s38(2), the development plan for the assessment of this application comprises the North Hertfordshire Local Plan 2011 – 2031 (adopted November 2022).

North Hertfordshire Local Plan

- 4.3 The North Hertfordshire Local Plan 2011 – 2031 was adopted on 8 November 2022 and replaces the saved policies of the District Plan Second Review and Alterations. The Local Plan sets out the long-term vision for the district by identifying how and where new homes, jobs and infrastructure will be delivered. The plan encourages high-quality sustainable design and consideration for the natural environment. The policies relevant to the determination of this application include:

- Policy SP1 Sustainable Development in North Hertfordshire
- Policy SP4 Town Centres, Local Centres and Community Shops
- Policy SP6 Sustainable Transport
- Policy SP7 Infrastructure Requirements and Developer Contributions
- Policy SP8 Housing
- Policy SP11 Natural Resources and Sustainability
- Policy SP13 Historic Environment
- Policy ETC4 Primary Shopping Frontages
- Policy T1 Assessment of Transport Matters
- Policy T2 Parking
- Policy HS2 Affordable Housing
- Policy HS3 Housing Mix
- Policy HS5 Accessible and Adaptable Housing
- Policy D1 Sustainable Design
- Policy D3 Protecting Living Conditions
- Policy D4 Air Quality
- Policy HE1 Designated Heritage Assets
- Policy HE4 Archaeology
- Policy NE11 Contaminated Land

ii) Material Considerations

- 4.4 Other material considerations relevant to the determination of this application, which will be referred to in subsequent topic assessment sections below include:
- Hitchin Town Centre Strategy (November 2004);
 - Paynes Park Planning Brief (February 2005);
 - The National Planning Policy Framework (NPPF) (published December 2023);

- National Planning Practice Guidance (PPG) (2014 and regularly updated); and
- National Technical Housing Standards (March 2015).

Hitchin Town Centre Strategy (2004) and Paynes Park Planning Brief (2005)

- 4.5 NHDC adopted the Hitchin Town Centre Strategy (November 2004) shortly followed by the Paynes Park Planning Brief (February 2005). Both documents sought to encourage new town centre development to encourage growth, subject to maintaining the quality of the historic built environment as a recognised market town. Paynes Park (Site B) was identified for regeneration due to the poor-quality street frontage of Paynes Park and sought improvements to the town centre retail/leisure uses and encourage more residential uses in the town centre. Whilst these documents are now quite dated, they embedded the principles of sustainable development and protection of the historic built environment.

National Planning Policy Framework

- 4.6 The revised National Planning Policy Framework (NPPF) was published December 2023. The NPPF sets out the Government's economic, environmental and social planning policies and is a material consideration in the determination of planning applications. Chapters 2 (Achieving Sustainable Development), 5 (Delivering a Sufficient Supply of Homes) and 12 (Achieving Well-Designed and Beautiful Places) are of particular relevance to this appeal application. Heritage policies have been addressed in detail in the separate Heritage Assessment concerning above ground assets prepared by PowerHaus Consultancy and below ground heritage assets assessed by Orion Heritage Ltd in the Archaeological Desk Based Assessment.

iii) North Herts Housing Supply Position

- 4.7 The Council now provides a five-year land supply following the adoption of the North Hertfordshire Local Plan. The Government's Housing Delivery Test (HDT) 2022 measures net dwellings provided in a local authority area against the number of homes required. Based on the number of homes delivered over 3 years, 2019-20, 2020-21 and 2022-23, NHDC returned a delivery measure of 118 per cent, with the HDT consequence as 'none' due to NHDC meeting their housing needs.

5. PLANNING ASSESSMENT

5.1 This section assesses the component parts of the proposed development against the statutory development plan and other material considerations, as outlined in Section 4. Only the policies that are considered to have key relevance in regard to the issues raised will be outlined in detail.

5.2 The development is considered to raise the following issues:

- i) Principle of Development
- ii) Residential Provision
- iii) Class E Provision
- iv) Design and Appearance
- v) Heritage
- vi) Archaeology
- vii) Transport and Highways
- viii) Daylight, Sunlight and Overshadowing
- ix) Energy and Sustainability
- x) Air Quality
- xi) Noise
- xii) Contamination
- xiii) Infrastructure Provision

i) Principle of Development

5.3 Paragraphs 7 and 8 of the NPPF describe the dimensions of sustainable development to set the tone for the presumption in favour of sustainable development, which the planning system is required to contribute to achieve. Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development, setting out the key principles that should apply. For decision taking this means “c) *Approving development proposals that accord with an up-to-date development plan without delay*”.

5.4 Policy SP1 *Sustainable Development in North Hertfordshire* supports the principles of sustainable development within North Hertfordshire. Planning permission will be granted for proposals that deliver an appropriate mix of homes, jobs and facilities that contribute towards the targets and aspirations of the Plan.

5.5 Policy SP4 *Town Centres, Local Centres and Community Shops* states that shops should be promoted, protected and enhanced in the town centre of Hitchin and that the Council will support proposals for development in town centres that are appropriate to the functions of the centre. The application is reducing the overall amount of retail floorspace within the building to better reflect the needs of modern retailers, the delivery patterns and size of stores required. Despite active marketing of the retail floorspace over the last two years by the owner, no retail occupier has been identified that would take the size and depth of the existing stores. The ground floor retail fronting the High Street will however be retained for Class E use but as smaller and less deep units. The

retention of ground floor retail use aligns with NHDC's town centre policies. The reduction in the size of the retail space will enable the diversification of uses within the building as appropriate within town centre locations in line with the NPPF Paragraph 90 (f) recognises that residential development plays an important role in ensuring the vitality of town centres.

- 5.6 The proposal includes new residential floorspace in four main residential blocks with smaller connecting blocks in between to accommodate 44 residential units. The application would result in the sustainable redevelopment and reuse of an otherwise redundant car park and loading area. The car park is not in public use and was previously used to serve the site, there is no loss of parking. This would introduce appropriate uses within the area, including delivering a supply of high-quality residential units in a highly accessible location, thereby according with the thrust of the NPPF for achieving sustainable development for successful sustainable mixed-use places that make the best use of land.

ii) Residential Provision

- 5.7 Chapter 5 of the NPPF relates to the supply of homes, with paragraph 60 identifying that a sufficient amount and variety of land is required to help support the Government's objective of significantly boosting the supply of homes.
- 5.8 Paragraph 70 of the NPPF promotes the use of small and medium sized sites in contributing to meeting housing requirements. Paragraph 124 (c) states that 'substantial weight' should be given to the use of brownfield sites within settlements for redevelopment to provide homes and other identified needs. Paragraph 124 (d) states that planning policies should "*promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained, and available sites could be used more effectively*".
- 5.9 Policy SP8 *Housing* supports the delivery of at least 11,600 net new homes for North Hertfordshire within the plan period. To achieve this, the Council will maintain a five-year housing land supply and target the completion of 20 per cent of new homes over the plan period on previously development land.
- 5.10 The Council received a Housing Delivery Test measurement of 118% in 2022, meaning that the Council is meeting its housing needs with the adoption of the NHLP (2022). The application proposes 44 units on previously developed land. The principle of residential development at the site is fully in accord with the NPPF and will boost the supply of housing in a highly sustainable location.
- 5.11 The Local Plan requires an average of 650 homes to be delivered per annum between 2011 and 2031. Policy SP8 identifies that of the 11,600 net new homes planned, 7,700 of these are from six strategic sites, approximately 5,560 of these will be delivered by 2031. These sites will require significant planning and infrastructure and may not deliver the required number of homes in the life of the plan.

- 5.12 The proposal will deliver 44 much needed residential units within the next 1-3 years. The application is in accord with the principles for the provision of the Council's housing needs. On this basis, it is clear that the proposed development would make efficient use of previously developed land and assist in providing much-needed housing within the area.

Affordable Housing

- 5.13 Policy HS2 *Affordable Housing* requires developments of 25 or more dwellings to provide 40 per cent affordable dwellings when this is viable. The Council expects 65 per cent of affordable units to be rented and 35 per cent other forms of affordable housing. The size, type and tenure of any affordable housing needs must meet the requirements of Policy HS3.
- 5.14 A Financial Viability Assessment prepared by Montagu Evans to assess the scheme's viability found that the proposal results in a residual land value of £706,122 representing a viability deficit of -£2,812,878 when compared to the Benchmark Land Value of £3,519,000.
- 5.15 In accordance with the requirements of the RICS Professional Statement *Financial viability in planning: conduct and reporting* (May 2019), Montagu Evans has undertaken a sensitivity analysis of the proposed scheme appraisal and confirm that a construction cost decrease of 10% (from £170 psf to £153 psf) and a concurrent increase in private residential sales values of 10% (from £472 psf to £519 psf) would still present a viability deficit of approximately -£789,000. The assessment does not consider either of these individual movements to be realistic, less so in concert.
- 5.16 The FVA therefore demonstrates that the proposed development is unable to viably support any affordable housing. The main reasons for this viability conclusion are the strong Existing Use Value as well as the relatively modest residential sales values that are achievable in Hitchin.
- 5.17 Despite the viability conclusion, the proposed scheme as assessed would be profitable and deliverable, albeit at margins that the assessment considers to be sub-market.
- 5.18 In addition, the applicant sought to promote a larger more dense scheme at the pre-application stage, however, the Council advised that a taller, denser scheme of 53 units would not be acceptable in this location given the historic context, character and setting of listed building, amongst other considerations.

Housing Mix

- 5.19 Paragraph 63 of the NPPF requires planning policies to reflect the needs of different groups in the community for housing of different sizes, types and tenures. This is explained in more detail within the National Planning Practice Guidance (NPPG), which explains that housing need refers to the scale and mix of housing and the range of tenures that is likely to be needed in the housing market over the plan period.
- 5.20 Policy HS3 *Housing Mix* requires an appropriate range of housing types and sizes taking into account the overall target of the plan, the most up-to-date evidence of the most recent SHMA, the location and accessibility of the site and recent completions, existing permission and sites in the

five-year supply. The scheme must provide a density, scale, and character of development appropriate to its location and surroundings.

- 5.21 The Stevenage and North Hertfordshire Strategic Housing Market Assessment (SHMA) Update (August 2016) is the most up-to-date SHMA and cover a 20 year period from 2011 – 2031. The SHMA identifies that there is a greater need for houses than flats. In respect of market homes, there is a greater need for larger (3 – 4 bed) units (74%). There is however a greater need for smaller 1 – 2 bedroom units for affordable homes (50.5%).
- 5.22 It is considered that given the sites circumstances the proposed mix of 1 and 2 bedroom apartments is most suitable. The proposed mix will provide much needed opportunities for young families, professionals, single occupiers, and couples to make their step onto the property ladder. Given the town centre location it is not considered suitable for family sized housing as this would not sustainably optimise previously developed land.
- 5.23 Policy HS5 *Accessible and Adaptable Housing* requires applicants to demonstrate that at least 50% of homes can be built to the M4(2) Accessible and Adaptable standard and on scheme where 10 or more affordable units will be delivered, 10% of these can additionally be built to the M4(3) wheelchair user standard.
- 5.24 In accordance with Policy HS5, 100% of homes have been designed for M4(2) Accessible and Adaptable standard, meeting the 50% required by Policy HS5. In addition, 5 units have been designed to M4(3) Wheelchair User standard.

Quality of Accommodation

- 5.25 As detailed in Section 3 of this Statement, each unit will exceed the Nationally Described Space Standards (2015) and will benefit from spacious accommodation with appropriate sized rooms and sufficient storage space.
- 5.26 The units have been designed to provide living spaces that maximise outlook, ventilation and sunlight and daylight. All the proposed units comply with minimum separation distances between habitable room windows, ensuring all future residents are afforded appropriate levels of privacy.
- 5.27 In accordance with Policy D3, the proposed development therefore provides a high-standard living accommodation and a high-quality environment for the enjoyment of future residents.

Amenity

- 5.28 NHDC does not require a minimum amount of amenity space to be provided for future occupants. However, the proposed development will provide private amenity space for 41 units in the form of balconies. The 3 units without private amenity occupy the south-east of the front façade on the High Street. The proposal will also provide communal amenity space for residents. Three outdoor courtyards are provided as communal meeting spaces with micro-allotment beds and planters throughout the site to encourage good use of communal amenity spaces.

iii) Class E Provision

- 5.29 Chapter 7 of the NPPF relates to the viability of town centres. Paragraph 90 requires planning policies and decisions to support the role town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. The vision for the Hitchin Town Centre Strategy is to maintain the quality of the built environment based on its intrinsic historic character, and to develop an attractive, safe, accessible, vibrant, and lively town centre for the local community and visitors to shop, work and live in. Policy 18 of the Hitchin Town Centre Strategy states the Council will promote and where appropriate approve well designed proposals for housing through the re-use and conversion of floorspace in vacant commercial buildings or in upper floors above shops, or as part of new developments.
- 5.30 Policy SP4 *Town Centres, Local Centres and Community Shops* states the Council will make provision for an appropriate range of retail and service facilities to protect the vitality and viability of centres. Policy ETC4 *Primary Shopping Frontages* states planning permission will be granted at ground floor level for shops or other main town centre uses if it does not, individually, or cumulatively, undermine the retail function of the centre in the daytime or detract from the centre's vitality and viability.

iv) Design and Appearance

- 5.31 Section 12 of the NPPF promotes the creation of high-quality buildings and place stating that good design is a key aspect of sustainable development (paragraph 131). Paragraph 135 of the NPPF sets out criteria for good design including: adding to the overall long-term quality of the area; visually attractive architecture and landscape design; sympathetic to local character creating a sense of place and optimising the site's potential.
- 5.32 At the local level, Policy D1 *Sustainable Design* states planning permission will be granted provided that the development proposals respond positively to the site's local context. This includes taking all reasonable opportunities, consistent with the nature and scale of the scheme to create or enhance public realm, design-out opportunities for crime and anti-social behaviour and maximise accessibility, legibility, and physical and social connectivity both internally and with neighbouring areas.
- 5.33 In addition, Local Plan Policy SP9 emphasises the importance of good design as a key aspect of sustainable development. The policy sets out a number of strategic design requirements, including, the adoption of the Government's technical standards for the size of new homes, water efficiency and, in specific circumstances, accessibility. The overarching ambition of the policy is well designed places that respond positively to the local context.
- 5.34 The Design and Access Statement, prepared by TiggColl Architects, outlines the design of the building in accordance with requirements from both the NPPF and local policy. The design of the proposed development is sympathetic to local character responding to the variety of historic architecture represented on the High Street and in Hitchin Town Centre.

- 5.35 The design of the High Street façade incorporates ‘entrance carriageways’ in the style of the traditional carriageways that line the High Street, cabinet windows to reflect the historic character of the original site and uses stepping and banding to bring the façade in line with the existing High Street buildings. The façade highlights the strong horizontality of the whole High Street whilst using dormers and stepping back to allude to less verticality. The historical influence on the design of the High Street façade is in accordance with Section 12 of the NPPF, boasting sustainable, good design which is sympathetic to and incorporates local character (NPPF Para 131, 135), and Policy D1 of the NHDC Local Plan.
- 5.36 In accordance with Policy SP9, the proposed development is designed well, responding positively to local context. All units meet the technical standards for size described in the Nationally Described Space Standards (2015), with efficient and sustainable heating, electricity and water drainage systems in place.
- 5.37 The Design and Access Statement details how measures have been taken to reduce the influence of the scale of the development on neighbouring areas to enhance the public realm, as required by Policy D1. The High Street façade uses the stepping back of the residential entrance section of the building and the addition of setback dormers to decrease the visible verticality of the building on the High Street, bringing it in line with adjacent buildings. Pitched roofs with clay tiles continuing down side elevations on core buildings reduces the appearance of height to neighbouring buildings. Dormer windows and rooflights reduce the appearance of height to neighbours further by confining the windows and balconies of the third floor apartments to the centre of the courtyards. Link buildings sit at a smaller scale to the core buildings, breaking up the mass of the scheme with recessed balconies providing more privacy to the apartments.
- 5.38 To provide a secure living space, balconies on link buildings overlook the courtyards allowing for increased security and deterring crime and anti-social behaviour as required by Policy D1.
- 5.39 A pedestrian path connected throughout the site maximises physical and social connectivity internally, with the path leading and passing through three main courtyards for both physical and social ease. A pedestrian residential entrance on the High Street and vehicular access at Paynes Park increases the physical connectivity of the site to external areas, with residents able to enter and leave the site from two different streets.
- 5.40 External communal amenity spaces have been designed in line with the policies outlined above. Three courtyards throughout the site provide outdoor space for residents. The ‘central’ courtyard takes inspiration from a market square and can be used as a meeting point. A ‘community’ courtyard boasts seating and micro-allotment beds to encourage socialisation and a ‘secret garden’ courtyard provides vital green space and doubles as a play area. The landscape design includes English Lavender to adhere to the local history of the site as lavender was previously processed and sold on site.
- 5.41 In response to Policy D1 *Sustainable Design*, the scheme maximises opportunity for accessibility by providing 5 M4(3) accessible units and designing all communal areas including external to

meet M4(3) standards in order to allow access for all users around the site. Each M4(3) unit has a dedicated accessible parking space as part of the proposal.

- 5.42 The design responds to the local architecture and quality of buildings fronting the High Street and the variety of buildings adjacent to Paynes Park, including the important setting of numerous listed buildings. The scheme is therefore considered to accord with the relevant planning policies, responds positively to local context, creating a sustainable and visually attractive development.

Scale and Massing

- 5.43 NHDC Design SPD states at paragraph 184 that high densities are appropriate within the town centre as are a mix of uses including residential, retail, and commercial. Policy 2 of the Hitchin Town Centre Strategy states the Council will refuse development proposals within Hitchin town centre which do not respect the historic layout and existing character and domestic scale of height and proportions of buildings.
- 5.44 The development proposes the construction of a four storey (ground floor + 3 with an underground car park) development. The site slopes downward from west to east, the maximum height of the building is 17.5m. Due to the site levels, the proposal has been designed to be complementary to the scale and massing of the surrounding area and is considered to make best use of the land in line with local planning policies.
- 5.45 Whilst the development is typically 4 storeys in height, the introduction of 3 storey apartment blocks to the link buildings of the site responds to the design character and building typology of the sites adjacent to the site.
- 5.46 The scale, height and massing of the development is consistent with the prevailing character of the surrounding built environment in accordance with Policy D1 and SP9.

v) Heritage

- 5.47 Paragraph 200 of the NPPF requires applications to describe the significance of any heritage assets affected by the proposals. The level of detail should be proportionate to the assets' importance and the potential impact of the proposal on their significance. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment.
- 5.48 Policy HE1 *Designated Heritage Assets* requires planning applications relating to designated heritage assets or their setting to be accompanied by a Heritage Assessment. Policy SP13 *Historic Environment* seeks to balance the need for growth with the proper protection and enhancement of the historic environment. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight will be given to the asset's conservation and the management of its setting.
- 5.49 A separate Heritage Assessment has been undertaken by PowerHaus Consultancy. It concludes that the existing building whilst considered by the Council to make a positive contribution to Hitchin

conservation area, is rather lacking in quality and is a poor quality pastiche of the former Georgian property that once occupied the site.

- 5.50 The new design is considered to reflect the changing character of the site as it moves from the High Street through to Paynes Park. The High Street elevation reflects the horizontal rhythm of typical town centre buildings, provides an appropriate array of windows on the façade reflecting the 3-5 window pattern. The ground floor treatment denotes the historic archway treatment of former buildings, which also provide a function to the residential and retail entrances, to deliver a building that positively contributes to the character of the conservation area and the setting of numerous listed buildings that front the High Street.
- 5.51 The design is modern but not pastiche and positively contributes to the setting through high quality materials, detailing and reflecting the future uses of the property.
- 5.52 The Paynes Park elevation is more muted and reflects the modern characteristic of this street, which is busy with traffic, modern buildings and currently comprises a number of gaps in the street elevation.
- 5.53 The proposals are considered to comply with the policy requirements of the NPPF and the Local Plan policy BE1. There is no harm to the character of the conservation area or to the setting of the neighbouring listed buildings and therefore the statutory duty of the Planning (Listed Buildings and Conservation Areas) Act 1990, which requires special attention to be paid to the desirability of preserving or enhancing the character and appearance of a conservation area is met.

vi) Archaeology

- 5.54 Policy HE4 *Archaeology* require development proposals affected heritage assets with archaeological interest to be supported by an appropriate desk-based assessment and where justified, an archaeological field evaluation is submitted. The assessment comments as follows:
- 5.55 In accordance with Policy HE4 the application is supported by an Archaeological Desk Based Assessment prepared by Orion Heritage.
- 5.56 The assessment comments that there is high potential for buried remains associated with the boundary ditch, associated with the Saxon burh and/or minster. The previously identified ditch to the north of the site is suggested to continue into the site.
- 5.57 There are no below ground archaeological designated heritage assets within the site or within the 500m area. The assessment has not identified any below ground designated assets which will be negatively impacted by the proposed development.
- 5.58 Construction activities associated with the proposed development has the potential to disturb the identified potential archaeological remains, therefore further investigation is recommended. The assessment suggests further discussion with the Archaeological Advisor is sought to determine the scope and timing of this investigation and possible mitigation measures. It also states that a securing of a programme of work as a condition of planning is a practical approach to take moving forward, which the applicant will accept as a pre-commencement condition.

- 5.59 Based on this information, the archaeological potential of the site can be suitably managed by the imposition of a pre-assessment condition, in accordance with the requirements of Local Plan Policy HE4.

vii) Transport and Highways

- 5.60 Paragraph 115 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. A Transport Statement, prepared by Transport Planning Associates, provides a full assessment of the highway and parking considerations.
- 5.61 The findings from the Transport Statement find that the proposed plans are in accordance with the requirements of policies T1, T2 of the Local Plan and the NPPF guidance. This is summarised below.
- 5.62 The site is located in Hitchin town centre with good access to local facilities and amenities. The site benefits from good public transport by bus and rail. In accordance with Policy SP6 *Sustainable Transport*, which promotes the use of sustainable transport modes, the site provides sufficient sustainable transport options, with the closest bus stop to the site (at 135m north of the site) providing access to more than 10 bus routes, and Hitchin railway station providing access to a range of destinations such as Brighton, Cambridge and London Kings Cross twice an hour Monday to Saturday.
- 5.63 Policy T1 *Assessment of Transport Matters* states planning permission will be granted provided that development does not lead to highway safety problems or cause unacceptable impacts upon the highway. The redevelopment of the site is predicted a peak hour two-way flow of circa 10 vehicles, which would have a negligible impact on the adjacent highway network. A total of two personal injury collisions were recorded in the last 5 years around the site, suggesting there is no existing highway safety issue, and that the redevelopment will not create any, in line with Policy T1 *Assessment of Transport Matters*.
- 5.64 Policy T2 *Parking* states planning permission will be granted provided that parking for residential development is provided in accordance with the minimum standards set out in the plan. This includes one car parking space per one bedroom dwelling and two car parking spaces per two+ bedrooms. Parking for non-residential development should be provided in accordance with the Supplementary Planning Document.
- 5.65 The site includes a redundant car park and loading area to the rear of the site with access from Paynes Park. The car park is not in public use and was previously only used to provide staff parking for the retail units. Therefore, the redevelopment of the site will not lead to loss of parking provision for the area. There are several public and private car parks within the immediate vicinity of the site.
- 5.66 The proposed development would provide 44 flats and a 335 sqms retail unit with a total of 32 parking spaces in a basement car park. This approach was supported by the Council in the pre-

application response received (see **Appendix 3**). While the level of parking would be less than the minimum standards set out in the North Herts BC SPD, it reflects the location of the site in the town centre and car ownership levels for the flats. Cycle parking spaces will be available on site to encourage cycling as a sustainable mode of transport. The proposed scheme therefore seeks to respond by reducing car parking numbers and the Council's response to this is sought.

- 5.67 The retail unit will not be provided with parking for visitors. The unit will be serviced from existing bays on the High Street. As the retail unit is in a highly accessible area situated on Hitchin High Street, it is not necessary for visitor parking to be provided. Any visitors to the site will be able to make use of the adjacent Waitrose MSCP. As the proposal is largely residential with the retail unit located on a busy High Street, the scheme parking proposal reflects the needs of Hitchin Town Centre.
- 5.68 The Transport Statement concludes that the proposed redevelopment of the site complies with national and local policies and good practice, it will not result in a significant or severe impact. On that basis, there are no transport or highway reasons why the proposed development should not be granted planning consent.

viii) Daylight, Sunlight and Overshadowing

- 5.69 Policy D3 *Protecting Living Conditions* states planning permission will be granted for development proposals which do not cause unacceptable harm to living conditions, this includes loss of daylight and sunlight.
- 5.70 A Daylight and Sunlight Report for impact within development and to neighbouring properties has been prepared by Right of Light Consulting to assess the daylight and sunlight levels of the scheme.
- 5.71 The report found that within the development all habitable rooms surpass the BRE minimum illuminance recommendations with the exception of 5 bedrooms and 1 living room. 95% of rooms therefore surpass the recommendations. 39 of the 44 units have at least one habitable room window which faces within 90 degrees of due south.
- 5.72 The results demonstrate an overall high level of compliance with the BRE recommendations. The instances in which the Daylight Provision targets are not met are not abnormal within the context of an urban location. The NPPG and BRE explain that acceptability is dependent on context and location, and that the local authority should balance daylight and sunlight considerations against all other material planning considerations, such as the fact that this design maximises sunlight availability as far as practically possible given the constraints of the site.
- 5.73 The report therefore concludes that in the context of the scheme, the NPPG and BRE requirements have been met for daylight and sunlight conditions within the development.
- 5.74 In the context of neighbouring buildings, the report demonstrates that the proposed development will have a relatively low impact on the light receivable by its neighbouring properties. Non-compliance with the BRE recommendations is limited to the daylight or sunlight tests in respect of isolated windows at Poppy House and 2A Paynes Park. Taking into account the overall high

level of compliance with the BRE recommendations, and the mitigating factors set out within the Daylight and Sunlight Report (Neighbouring Properties) Report, the proposed development is acceptable in terms of daylight and sunlight.

ix) Energy and Sustainability

- 5.75 The NPPF makes the importance of sustainable development clear. Paragraph 7 states that it is the purpose of the planning system to achieve sustainable development. Paragraph 157 states that in order to tackle climate change, the planning system should support the transition to a low carbon future.
- 5.76 Policy SP11 *Natural Resources and Sustainability* supports proposals for renewable and low carbon energy development in appropriate locations.
- 5.77 Policy SP9 *Design and Sustainability* supports proposals that are well designed in response to local context, and create sustainable transport systems around walking, cycling and public transport, whilst also providing well-connected footpaths for pedestrians.
- 5.78 The site is well located with easy access to public transport systems such as buses and trains, and has incorporated cycle spaces to encourage sustainable transport options, Pedestrian pathways are included throughout the proposed development providing sustainable routes around the site.
- 5.79 The application is accompanied by an Energy Statement prepared by Integration. The Energy Statement finds that the proposal is in compliance with the NPPF and the North Hertfordshire Local Plan's energy and sustainability policy.
- 5.80 following the introduction of energy efficiency measures, passive and active design, low carbon supply technologies and renewable energy systems (as explained in the Energy Statement), the CO₂ emissions per annum are in compliance with the Baseline: Part L 2021 (Building Regulations) regulated and unregulated energy use.
- 5.81 The Energy Statement proposes air source heat pumps (ASHP) as the heating technology for the proposal and also Photovoltaic (PV) panels that can be installed on the roof to provide solar energy.
- 5.82 The proposed development's carbon saving from the proposed measures is 30.1 tonnes CO₂ per annum, or 68.8%.
- 5.83 The site has been future-proofed to achieve zero carbon on-site emissions by 2050 through several mechanisms, mainly avoiding fossil fuels on site and using electricity for 100% of energy requirements. As the UK electricity grid continues to decarbonise towards the 2050 goal of net zero, the scheme will be able to be supplied by zero carbon electricity. This accords with the push for the planning system to strive to achieve sustainable and low carbon development.

Overheating

- 5.84 Integration carried out an overheating analysis report to examine the overheating performance of the proposed site at 9-10 High Street.

- 5.85 The report shows that the sampled new build units meet the Part O / CIBSE TM59 overheating standard.

Sustainable Drainage Systems

- 5.86 Policy SP9 requires developments to ensure the effective use of sustainable urban drainage and sustainable water management.
- 5.87 A Sustainable Drainage Systems (SuDS) assessment was carried out at 9-10 High Street.
- 5.88 The proposed development will be constructed on an existing hard standing area and will keep the same area as impermeable, therefore the peak run-off rates at various return periods are equal to the existing run-off. Infiltration techniques are not feasible at the site, so surface water run-off will need to instead discharge to the surface water sewer at a controlled rate of 3.8 l/s a hydrobrake.
- 5.89 A drainage system considering SuDS such as blue roof and attenuation tank has been designed and recommended to manage surface water in accordance with LLFA guidance.
- 5.90 The surface water drainage system will be designed for the 1 in 100 year plus 40% climate change rainfall event.
- 5.91 The foul water rates from the site will increase as the proposed residential units will increase the number of people on site. Therefore, the foul water rates from the site will increase. The existing connection to the public sewers can be re-used with a new foul water network constructed to serve the proposed buildings.
- 5.92 The proposed development therefore complies with the requirements of effective sustainable urban drainage and sustainable water management as set out in the SuDs assessment.

x) Air Quality

- 5.93 The NPPF seeks to prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by unacceptable levels of air pollution.
- 5.94 At the local level, Policy D4 *Air Quality* requires development proposals to give consideration to the potential or actual impact on local air quality, both during the demolition and construction phase and as a result of its final occupation and use.
- 5.95 In accordance with Policy D4 the application is supported by an Air Quality Assessment prepared by Redmore Environmental Ltd. The document assesses the likely effects arising from the proposed development on local air quality during the construction and operational phases.
- 5.96 The assessment states that in accordance with both the NPPF and Policy D4 *Air Quality*, air quality factors are not considered a constraint to the proposed development. The construction phase, operational traffic, and residual impacts as a result of the operation of the development were all considered to have negligible impact on air quality measures, therefore the site is considered suitable for the proposed use from an air quality perspective.

5.97 The document recommends mitigation measures in line with the requirements of the NHC Air Quality Planning Guidance Document in order to reduce vehicle exhaust emissions associated with the proposals to further control impacts during the operational phase. There are explained in detail within the Air Quality Assessment.

xi) Noise

5.98 Policy D3 *Protecting Living Conditions* states planning permission will be granted for development proposals which do not cause unacceptable harm to living conditions, this includes noise.

5.99 The application is supported by an Environmental Noise Assessment prepared by KP Acoustics Ltd. The assessment comments as follows:

5.100 KP Acoustics Ltd carried out an environmental noise assessment at the site to assess daytime and nighttime noise levels likely to be experienced by the proposed development.

5.101 The assessment shows that with the proposal of a robust glazing specification, internal noise levels for all residential environments of the development are within the design range of BS8233:2014. No further mitigation measures should be required in order to protect the proposed habitable spaces from external noise intrusion.

5.102 The predicted noise levels from the proposed units should therefore meet the requirements set out within the report, with the implementation of the recommendations set out in the report.

5.103 Subject to suitable mitigation, it can therefore be concluded that the proposed development is not considered to conflict with any national or local noise planning policy.

xii) Contamination

5.104 Policy NE11 Contaminated Land states planning permission for development affecting or affected by contaminated land will be granted provided that a contaminated land study is submitted as part of the application and appropriate mechanisms are in place to investigate, characterise the risks and remediate the contamination to remove or reduce the risk to an acceptable level.

5.105 A Desk Study and Ground Investigation, including a Contamination Risk Assessment, has been carried out by Geotechnical & Environmental Associates Ltd in order to assess the risk for groundwater and contamination in the ground of the site. The findings of the investigation are outlined below:

5.106 The investigation confirms that there is unlikely to be significant groundwater inflows into the lower ground floor excavation. However, it recommends that trial excavations extending to as close to the full depth of the proposed basement as possible should be carried out to determine the significance of possible groundwater inflows.

5.107 The investigation identified the presence of limited contamination in the form of lead and arsenic. This does not pose a risk to adjacent sites, groundwater or buried services as the elevated concentration of these metals is not presumed to be soluble. As the majority of made ground where the elevated concentration of metals was measured will be removed due to the excavation

of the lower ground floor, and the footprint of the proposed building is to extend over the entire site, with no soft landscaping proposed at lower ground level, there is no risk to end users.

5.108 The investigation recommends that site workers are made aware of the contamination and a programme of work is identified to protect workers handling any soil.

5.109 The investigation concludes that the groundwater inflow and contamination risk are low, and with the proposed mitigations outlined in the investigation, the proposed development is in accordance with Policy NE11 and is safe to go ahead.

xiii) Infrastructure Provision

5.110 Policy SP7 *Infrastructure Requirements and Developer Contributions* requires development proposals to make provision for the infrastructure required to accommodate the additional demands resulting from the development. Developers are required to provide, finance and/or contribute towards provision which is fairly and reasonably related in scale and kind to the development.

xiv) Biodiversity and Ecology

5.111 Local Plan Policy NE4 requires an ecological survey to be submitted with any proposal. All development should deliver measurable net gains for biodiversity. In accordance with Policy NE4 a preliminary Ecological Appraisal and Biodiversity Net Gain Assessment was conducted by Ecology Partnership on the site. The assessment concludes that the site does not fall within or is adjacent to any statutory sites and the Impact Risk Zones do not indicate the development will have any likely impact on statutory designated sites. Recommendations for enhancements have been made aimed at improving the ecological value of the site and providing a net gain in biodiversity post-development.

5.112 The habitats on site have negligible ecological value, the loss or removal of these habitats are not considered to warrant consideration within an EcIA assessment.

5.113 Under the BNG government guidance, the site is deemed to be exempt from detailed BNG assessment. In accordance with local planning policy NE4, a measurable net gain is required. The EcIA assessment provides soft landscaping recommendations for communal greenspace, and these should be adhered to as much as possible to satisfy policy NE4.

5.114 The existing building and the habitats on site have 'negligible' potential for roosting, foraging or commuting bats, with recommendations for native woody planting and sensitive lighting to enhance the potential for bats on site.

5.115 Birds may use the building on site for nesting. The assessment recommends that any works should be undertaken outside of bird nesting season (March – September inclusive) or after a nesting bird check by a qualified ecologist. Birdboxes should be implemented on the new site to enhance bird nesting. The site does not support suitable habitat for any other protected species, and no further surveys are required.

6. SUMMARY AND CONCLUSIONS

- 6.1 This statement has set out the nature of the development at 9-10 High Street and its accordance with relevant policies of the NPPF (2023) and the NHDC Local Plan (2011). The design of the proposal complies with the policies set out in this statement and the accompanying planning reports further justify the conformity of this development with the up-to-date development plan policies. The proposal meets the requirements for new development in Hitchin, providing much needed residential units in an accessible location within the Town Centre and regenerating the currently empty retail unit at 9-10 High Street.
- 6.2 The proposed design is in accordance with local and national policies, reflecting the historical character of Hitchin Town Centre in a modern and efficient design and adhering to the design cues of existing buildings on the High Street and Paynes Park. The proposal is mindful of Hitchin's wide variety of heritage character and context, with steps taken to ensure the design is reflective of the quality of High Street buildings and more modern character of Paynes Park. Following the public consultation responses, TiggColls has responded by re-designing the High Street frontage. The proposal is judged to cause no harm to the character of the conservation area or to the setting of the neighbouring listed buildings and will enhance the character of Hitchin town centre conservation area.
- 6.3 The proposal has embraced the principles of sustainable development. The uses reflect its sustainable location in the heart of Hitchin town centre with retail and residential uses fully in accord with planning policies. The design is informed by fabric first principles and sustainable energy technologies including Photovoltaic (PV) panels and air source heat pumps (ASHP). Private and communal amenity spaces deliver high quality sustainable town centre living. The parking levels proposed are justified by the scheme's sustainable town centre location with ample access to sustainable transport options.
- 6.4 The proposal reduces the development's impact on the environment with sustainable urban drainage designed to manage surface water effectively in line with local and national sustainability policies.
- 6.5 The Financial Viability Assessment has demonstrated that the scheme cannot viably deliver affordable housing.
- 6.6 The application is therefore in accord with the NPPF and Local Plan policies. It is therefore concluded that the proposal is granted planning permission without delay.

Signe

On behalf PowerHaus Consultancy

Date: 25 June 2024

7. APPENDICES

APPENDIX 1: SITE LOCATION PLAN



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Rev	Date	Description	By	Check
1	14/06/24	ISSUED FOR PERMITTING	PA	PA

TiggColl

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TiggColl.com

Architecture Design Interiors

PLANNING

Project 9-10 High Street, Hitchin, SG5 1AT

Title Site Plan

First Issue 14/06/24 Scale 1:200 @ A1

Drawing no.

270 - HH - 002

Rev.

P

APPENDIX 2: DRAWING SCHEDULE

We enclose copies of the drawings listed below:

V4_08.04.22

We enclose copies of the drawings listed below:

V4_08.04.22

We enclose copies of the drawings listed below:

V4_08.04.22

**APPENDIX 3: NORTH HERTFORDSHIRE DISTRICT COUNCIL PRE-APPLICATION RESPONSE
DATED 30 SEPTEMBER 2022**

Powerhaus Consultancy Ltd	Our Ref :	22/00976/PRE
The Stanley Building 7 Pancras Square London N1C 4AG	Contact : Direct Line : Email : Date :	Anne McDonald 01462 474634 anne.mcdonald@north-herts.gov.uk 30th September 2022
FAO: Mrs Mary Power		

Dear Sir / Madam,

**Pre Application Advice : Refurbishment and redevelopment to provide 53 residential apartments, including two Class E units at ground floor level fronting the High Street, landscaping, amenity and associated parking
9 - 10 High Street, Hitchin, Hertfordshire,**

Thank you for your pre-application submission, named above, which was received on the 19/05/22 and I write in response following a consideration of the submitted information.

Please note that this reply is an officer opinion only and is not a formal determination of the Council, and is without prejudice to any subsequent planning application that may be submitted.

The relevant government guidance and policies from the development plan are as follows:

National Planning Policy Framework 2021:

In general and with regard to:

Section 2 – Achieving sustainable development;
Section 5 – Delivering a sufficient supply of homes;
Section 8 - Promoting healthy communities;
Section 9 - Promoting sustainable transport;
Section 11 – Making effective use of land;
Section 12 – Requiring good design;
Section 16 – Conserving and enhancing the historic environment.

North Hertfordshire District Local Plan No. 2 with Alterations 1996:

Policy 8 – Development in towns;
Policy 16 – Areas of Archaeological Significance and other Archaeological Areas;
Policy 21 - Landscape and Open Space Patterns in Towns;
Policy 26 - Housing Proposals;
Policy 51 – Development Effects and Planning Gain;
Policy 55 – Car Parking (SPD Car parking);
Policy 57 – Residential Guidelines and Standards.

North Hertfordshire District Local Plan 2011-2031 Proposed Submission Local Plan and Proposals Map:

Policy SP1 - Sustainable Development in North Hertfordshire;
Policy SP2 - Settlement Hierarchy and Spatial Distribution;
Policy SP8 - Housing;
Policy SP9 - Design and Sustainability;
Policy SP10 - Healthy Communities;
Policy SP13 – Historic Environment;

Policy T2 - Parking;
Policy HS2 – Affordable Housing;
Policy HS3 – Housing Mix;
Policy D1 - Sustainable Design;
Policy D3 - Protecting living conditions;
Policy D4 - Air Quality;
Policy NE1 – Landscape;
Policy NE8 – Sustainable drainage systems;
Policy NEx – Biodiversity;
Policy HE1 – Designated heritage assets;
Policy HE4 – Archaeology.
Policy HT12 – Paynes Park.

Vehicle Parking at New Developments November 2011
Design SPD July 2011
Planning Obligations SPD 2006

These documents and policies are all viewable on the Council's website under the Planning Policy section.

Emerging Local Plan update

The emerging Local Plan 2011 – 2031 is at an advanced stage towards adoption, having gone through a public examination process and has had Modifications published in November 2018. The Inspectors interim letter required for further EiP sessions. These were originally meant to have taken place in March 2020, but due to global coronavirus Covid 19 pandemic they were postponed until November 2020. The Inspector's Main Modifications letter was received in Spring 2021 and the Council's Cabinet Committee resolved to grant public consultation which has been completed. The final report from the Inspector has been received on 08/09/22 and it is anticipated that the emerging Local Plan is to be presented to Full Council in the Autumn. As a result, the emerging Local Plan is at an advanced stage of preparation and significant weight can be given to the policies contained within it.

Further to the response by the Council's Conservation Officer, you may wish to note that the Paynes Park Planning Brief is superseded by emerging Policy HT12. The criteria for this policy states:

Site

The application site is named as '9 – 10 High Street, Hitchin' and is a large site fronting onto the High Street with an established building on the High Street, and extended rearwards to the Paynes Park one way road system with a large ramped parking area on the rear area of the site rear of the building forming number 9-10. The site is wider on the western half and narrowest on its eastern side where it fronts onto the High Street. The western half includes Paynes Park House open car park and building no.2 Paynes Park. The site is within the Hitchin Conservation Area and contains one listed building, No.2, in the south-west corner of the site and adjoins another listed building along the south east boundary. There are also other listed buildings within the vicinity nearby to the site.

Proposals

The proposal is in two parts. The main part of this submission is for the retention of retail floor space in the ground floor of the frontages of numbers 9-10, with a rear underground parking

area behind this and a residential re-development on the upper floors. The submitted plans are schematic, but they indicate a mix of 3 and 4 storey development, providing 53 flats with a mix of 22 x 1-bed, 26 x 2-bed and 5 x 3-bed flats, two retail units and 53 parking spaces and space for 100 bicycles to park.

An additional extended area is also proposed, termed the 'masterplan consideration' and proposes an additional 30 flats, 30 parking spaces and 3 small sized retail units and cycle parking for an additional 50 bikes to park.

Very small section of green or open space is shown on the plans.

Submitted for consideration is a Pre-Planning Document dated 31.03.22.

Consultations

NHDC Conservation - The Council's Conservation Officer has provided detailed comments which have been previously forwarded on to you and are attached aswell. These provide detailed comments regarding the principle, scale and acceptability of the proposal which I support.

NHDC Environmental Health – no requirement for a land contamination condition and EV charging will be required.

NHDC Housing - a 40% contribution towards affordable housing will be required which would be 21 dwellings based on the development of 53 dwellings. The full response is attached.

HCC Archaeology – detailed comments which have been previously forwarded and are attached.

HCC Contributions – contributions will be required towards primary, secondary and special needs education along with contributions to library and youth services. Monitoring fees will also be applicable. The full response is attached.

Principle of development

National and local planning policies seek to focus new housing within existing urban areas. Furthermore, the 'titled balance' of the NPPF, paragraph 11d) can be triggered in instances where the local plan is out of date and where a Local Planning Authority is behind in its delivery of housing land. Currently this Council's housing land supply is less than 1.5 years. Given the policy emphasis of the NPPF and that this is a town centre site, there is no objection to the principle of this land for residential re-development with the retail use being retained at ground floor level on the High Street.

Layout concerns

As set out in the Conservation Officer's comments, a key consideration is the context and setting of the site with regards to the Conservation Area and the nearby listed buildings.

Mr Simmons's has set out a concern regarding the density and scale of the proposal which I share. In my view that parameter plans show a scale of development that is the over development of the site as the buildings would form a dense and tall mass contrary to the character of the development around it. I agree with Mr Simmons that there is a lack of 'green / open' space within the development. Furthermore, I strongly object to the enclosing the footpath link through. Having this route partly next to tall walls (will there be windows

overlooking the route?) and partly going under / through the building will make this walkway less attractive to users who may worry about passing through such a walkway especially on their own or in the dark. The treatment and details of this route will be a key consideration in any application coming forward, especially as sustainable transport / walking routes is a key priority of HCC Highways and any works to reduce the attractiveness and therefore use of a key footpath route will not gain planning permission in my view.

Parking

Policy 55 of the Local Plan and Policy T2 of the Emerging Local Plan guides that all development proposals should provide sufficient space to accommodate its own generated car parking needs. The Vehicle Parking at New Developments Supplementary Planning Document (VPND) sets out further guidance on parking requirements.

For dwellings, the parking standards are minimum spaces that require 1 space per 1 bed unit and two spaces **per two plus bedroom units**, as well as between 0.25 and 0.75 visitor spaces per dwelling.

I note that this is a town centre location where parking standards can be reduced and applied more flexibly therefore in my view there would be no objection to the provision of one parking space per unit along with the cycle parking also provided.

Other considerations

Please note these are general comments for information only.

- HCC Highways, Ecology and LLFA provide their own chargeable pre-app services and I would advise that you seek comments directly from these teams if you wish to receive their comments.
- Each unit will need to meet the minimum size requirements of the Nationally Described Space Standards and I would advise that internal floorspace size is set out in table form on one of the plans if this proposal proceeds to the application stage.
- North Herts has high bin requirement for waste and recycling storage. Whilst for flats shared bins can be accommodated, this will need to be designed into the scheme as bins left in the street or visible from the street is not acceptable.
- As this is a town centre location where late night noise or traffic noise can be a nuisance the application will need to address this. This needs to be with the use of either double to triple glazing (depending on the elevation) or putting non habitable rooms on certain elevations or with the use of mechanical glazing in addition to either double or triple glazing. I am not advocating sealed windows for this location given that a) within 15 or so years most vehicles will be electric which will reduce road noise and b) buyer beware caution of the location can make future residents be aware of late night noise. However, noise is likely to be an issue that Environmental Health will seek information on and any application needs to address this.
- Policy NEx requires for a net gain for bio-diversity which will come into effect under the provision of the Environment Act 2021 and will need to be a consideration of any application.
- Consideration will need to be given to possible adverse overlooking, loss of privacy and other general amenity considerations from / to existing neighbouring buildings and within the development. As the plans do not contain any elevation details I am unable to comment on this at this stage.
- All parking spaces will need to be provided with EV charge points.
- A S106 Legal Agreement will be required with contributions towards affordable housing, education, youth services, library facilities, fire hydrants, waste and possible

local contribution towards community halls, pitch sport and play space provision and open space. Please refer to the SPD Planning Obligations documents on both the NHDC and HCC websites for more information about the contributions and standard charges that would be applied. The exact amount would be finalised during the application process.

Climate Change Emergency

On 21 May 2019, the Council passed a Climate Emergency motion which pledged to do everything within the Council's power to achieve zero carbon emissions in North Hertfordshire by 2030. This declaration asserted the Council's commitment toward Climate Action beyond current government targets and international agreements.

Climate action has been a long term corporate priority area for the Council, and has been pursued through our objective to Prosper and Protect North Hertfordshire. This objective informs our commitments to:

- Green space provision;
- Representing the Climate Change interests of North Hertfordshire residents on county and regional plans, policies and aspirations;
- Supporting initiatives that increase the energy efficiency of residents' homes, reduce resource waste, and increase our sustainability for the longer term;
- Protecting our physical heritage;
- Finding environmentally sustainable solutions to the challenges.

If this proposal were to proceed to the application stage, mitigation should be considered in order to make a positive contribution to the mitigation of the climate emergency.

Conclusion

I have no objection to the principle of the proposal, but for the reasons set out above and in Mr Simmons's comments, if this proposal were to proceed to the application stage, it would be refused.

Any advice given by Council Officers for pre-application enquiries does not constitute a formal response or decision of the council with regards to future planning permission or other consents. You should also be aware that the information provided within this document gives no guarantees about the final formal decision made on any planning application.

Yours sincerely

Anne McDonald

Anne McDonald
Principal Planning Officer (Development Management Team)

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