

DELEGATED FILE NOTE

CASE OFFICER: ...Melissa Tyler.....

**APPLICATION
REFERENCE**

**BRIEF DESCRIPTION OF
DEVELOPMENT**

APPLICATION SITE

25/02749/FP

Change of use from Class E (Cafe) to Sui
Generis (Drinking Establishments).
(Continued change of use)

2 The Arcade

Hitchin

Hertfordshire

SG5 1ED

Submitted Plan Nos

DOC02-Location Plan. 0487/2THEA-01 0487/2THEA-02

1.0 Policies

2.0 Site History

2.1 None recent.

3.0 Representations

3.1 Site and press notices were published – no comments received.

3.2 Neighbour consultation was carried out – no comments received.

3.3 Consultees:

Conservation Officer - There is NO OBJECTION/Comments The scheme will satisfy the provisions of Sections 16(2) (LBC) and /or 66(1) (FP/FPH) and/or 72(1) (both) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the aims of Section 16 of the NPPF and Policy HE1 of the North Hertfordshire Local Plan 2011-2031.

Environmental Health – no objection

4.0 Planning Considerations

4.1 Site and Surroundings

4.1.1 The application site is located in the Arcade in Hitchin Town Centre with a mix of uses nearby including retail, commercial, office and residential, and is within the Hitchin Conservation Area and Article 4 Direction and a BLI

4.1.3 It was formerly a cafe with the use class E.

4.2 Proposal

4.2.1 Planning permission is sought for: *“Change of use from Class E (Cafe) to Sui Generis (Drinking Establishments). (Continued change of use)*

4.2.2 The alterations to the shopfront include black painted frontage and painted sign.

4.3 Key Issues

4.3.1 The key issues for consideration are:

- ☐ The principle of proposed change of use and development.
- ☐ The impact of the proposal on the character and appearance of the Conservation Area, BLI and Article 4.
- ☐ Impact on amenity.
- ☐ The impact of the proposed development on the environment.

Principle of Proposed Change of Use and Development

4.3.2 The proposed change of use would not result in the loss of a retail unit in the town centre location.

- 4.3.3 Local Plan policies SP3 and SP4 support new and existing businesses in the town centre. Policy SP4 states that the Council is committed to protecting the vitality and viability of all centres and supports a range of uses in town centre locations.
- 4.3.4 The principle of the proposed change of use is acceptable and complies with Local Plan policies SP3 and SP4 and the provisions of the NPPF for protecting the vitality and viability of town centres.

The Impact of the Proposal on the Character and Appearance of the Conservation Area

- 4.3.5 Consideration needs to be given to the impact of the proposed change of use and works to the heritage asset that is the Conservation Area, Article 4 and a BLI.
- 4.3.6 National policy as set out in the NPPF provides clear guidance on assessing the impact of proposals on heritage assets. This is reflected in Local Plan Policy HE1. The proposed change of use is not a significant change from the previous situation and will not cause unacceptable harm to the character and appearance of the Conservation Area. The proposed alterations to the paintwork of the shop banner fall within the parameters for deemed advertisement consent and therefore do not form part of this assessment of the proposal.
- 4.3.7 Overall, no unacceptable harm will be caused to the heritage asset that is the Conservation Area and the proposal therefore meets the requirements of the NPPF and Local Plan policy HE1.

Impact on Amenity

- 4.3.8 Policy D3 of the Local Plan permits development that does not result in unacceptable harm to the amenity of neighbouring occupiers and where necessary encourages the use of mitigation measures to reduce these impacts. This is generally reflected by the provisions within the NPPF.
- 4.3.9 Following submission of further information by the applicant relevant to odour and noise management, The Environmental Health Officer raised no objection.
- 4.3.10 Given the above, it is considered that the proposed change of use will not result in any unacceptable harm to neighbouring occupiers and therefore complies with Policy D3 of the Local Plan and the aims of the NPPF.

Highways and Parking

- 4.3.11 The application site is in a town centre location with good access to public transport. As a town centre location, there is no requirement for customer parking.

Environmental Implications

- 4.3.12 The proposed development is relatively small in scale and would have no significant implications for the local environment in terms of carbon emissions and therefore would be generally in compliance with Section 14 of the NPPF.

Biodiversity Net Gain

- 4.3.13 This development is not subject to the statutory Biodiversity Gain Plan condition because it falls below the threshold and is therefore exempt in respect of the biodiversity gain condition, under the statutory exemptions (<https://www.gov.uk/guidance/biodiversity-net-gain-exemptdevelopments>).

4.4 Conclusion

- 4.4.1 The proposed development is considered acceptable and to comply with the policies set out in the Local Plan and the National Planning Policy Framework. Grant conditional permission.

4.5 Alternative Options

- 4.5.1 None applicable.

4.6 Pre-Commencement Conditions

- 4.6.1 None applicable.

5.0 Recommendation

- 5.1 That planning permission be GRANTED.

1. The use hereby permitted of the Sui Generis (Drinking Establishment) shall only take place between the following hours:
1100 -0030 Tuesdays to Saturdays:
1100 - 1900 Sundays and on Bank or Public Holidays:

Reason: to protect the residential amenities of existing residents in accordance with Policy D3 of the North Hertfordshire Local Plan 2011-2031.

Proactive Statement:

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted proactively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

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Signed  Shaun Greaves Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 11 February 2026	