

DELEGATED FILE NOTE

CASE OFFICER: ...Andrew Hunter.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/00053/FP	Removal of two chimneys, insertion of one replacement rooflight and additional rooflight in rear roofslope. Insertion of rear entrance door to existing self-contained flat (Class C3) at first floor. Alteration to existing garage including front porch canopy and alterations to fenestration to facilitate change of use to wellbeing studio (Class E) (as amended by plans received 23/04/25)	78 High Street Codicote Hitchin Hertfordshire SG4 8XD

Submitted Plan Nos

107D 108B Location Plan 101 102A 103A 104 105B 106

1.0 Policies

D1	Sustainable design
D3	Protecting living conditions
D4	Air quality
ETC6	Local Centres
ETC7	Local community shops and services
HE1	Designated heritage assets
SECN11	Making effective use of land
SECN12	Achieving well-designed places
SECN16	Conserve + enhance historic environment
SECN6	Building strong, competitive economy
SECN7	Ensuring vitality of town centres
SECN9	Promoting sustainable transport

SP1	Sustainable development in North Herts
SP13	Historic environment
SP2	Settlement Hierarchy and Spatial Distrib
SP4	Town Centres,Local Centres,CommunityShop
SP6	Sustainable transport
SP9	Design and Sustainability
T2	Parking
T1	Assessment of transport matters

2.0 **Relevant site history**

2.1 None relevant.

3.0 **Representations**

3.1 **Neighbours** – The following objections were received:

- ☐ Conversion of garage to wellness studio.
- ☐ Loss of light from porch.
- ☐ Overlooking from new windows.
- ☐ Location of entrance door too close.
- ☐ Would like more details of wellness studio.
- ☐ Impacts of construction.
- ☐ Traffic and parking.

The following comments in support were received:

- ☐ Bring the property back to life.
- ☐ Have a positive impact.

3.2 **Archaeologist** – No comment to make.

3.3 **Environmental Health** – I would not object to the application. I am satisfied with the noise management plan given the circumstances.

3.4 **Conservation Officer** – No objections.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The site is a 2 storey building with a pitched roof on a corner plot that is Grade II listed. The building adjoins another listed building, and there are numerous other listed buildings in most directions. The site has a detached double garage at the rear which is not considered to be curtilage listed.

4.1.2 The ground floor of the building is a shop (Use Class E), which is vacant; and the first floor is a residential flat (Use Class C3), also vacant.

4.1.3 The site is in central Codicote at the north end of the High Street where the character is a mix of residential and commercial properties. The site is in a Conservation Area.

4.2 **Proposal**

4.2.1 The removal of two rear chimneys with works to make good the building, a replacement rear rooflight, a new rear rooflight, a new rear entrance door for the flat, and the change of use of the detached garage to a wellbeing studio with associated external alterations including a new front entrance porch and fence.

4.2.2 The application was accompanied by parallel listed building consent application 25/00054/LBC, which also includes internal alterations.

4.2.3 The proposed plans also show the change of use of the ground floor shop to a café. This does not require a planning application as both uses are Class E uses under the present Use Classes Order, where such a change within Class E does not require a planning application.

4.3 **Key Issues**

4.3.1 The key material considerations are whether the development is acceptable in principle, design and heritage, impacts on residential amenity, and highways and parking.

Principle

4.3.2 As stated above, the conversion of the shop to a café does not require planning permission as both uses are within Class E of the Use Classes Order. The external works and alterations are acceptable in principle as the site is in the settlement boundary

of Codicote, a village under Local Plan Policy SP2 where such development is not excluded under this Policy.

- 4.3.3 The proposed wellbeing studio would be considered to be Use Class E, being indoor recreations not involving motorised vehicles or firearms. Local Plan Policy ETC6 concerns Local Centres, which includes Codicote and the main two storey building No. 78 in a detailed map of that Centre in Appendix 3 of the Local Plan. The map has drawn a black outline around No. 78, however this outline does not include its detached garage, therefore ETC6 does not apply to the proposed wellness centre.
- 4.3.4 Local Plan Policy ETC7 concerns local community shops and services in towns and Villages. It's considered that the proposed wellbeing studio complies with ETC7 as it would be within the village boundary of Codicote, it would be small-scale and a use that could be used by the local community, and would not involve the loss of an existing facility. The proposal is acceptable in principle, and complies with Policies SP2 and ETC7 of the Local Plan.

Design and heritage

- 4.3.5 The application site is a Grade II listed building, which is a designated heritage asset. The proposal therefore needs to be assessed as to whether it would harm its setting and significance. This is set out in Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 4.3.6 The Council's Conservation Officer has not objected to the application, which is given significant weight. The proposed works are overall considered to be of a small scale, with none of the fabric of the building to be lost considered to be of such significance that this will be harmful. On the basis of the comments from the Conservation Officer, the proposed works are considered sympathetic to and in keeping with the special significance and character of the listed building.
- 4.3.7 It is not considered that the application harms the significance of the designated heritage asset the subject of this application. The impacts of the proposal on the character and appearance of the building and its significance as a designated heritage asset are therefore considered acceptable. The proposed external alterations to the building would be small in scale and are not considered harmful to its character and appearance.
- 4.3.8 The Conservation Officer has not raised concerns over the design of the external alterations to the garage and their impacts on the setting of the primary listed building, the impacts on the settings of other nearby listed buildings, and on the significance of the Conservation Area. The proposal is considered acceptable in these respects.
- 4.3.9 The proposed alterations to the main building would be at the rear, would be small and partially obscured by walls and fences, and will not harm the character and appearance of the locality.
- 4.3.10 The external works to the detached garage comprise replacing the red-tiled roof with a slate roof including two rooflights, four new openings with an open porch canopy and walls on its front elevation to replace the two garage doors, and a new 1.8m high fence extending off the NW corner. These proposed works are considered to be in keeping

with the character and appearance of the garage building and would have minimal and acceptable impacts on the wider locality.

- 4.3.11 The garage building is proposed to be used as a wellbeing studio. The applicant has provided further information regarding details of its use, stating that it would be used as a community facility for workshop-based activities. Example uses include yoga, photography, floristry, seasonal events such as wreath making and others.
- 4.3.12 The proposed wellbeing studio use would intensify the use of the building and bring a new commercial facility to this part of Codicote. This is not however considered harmful to the locality as the use would be small in scale due to the modest size of the building, expected traffic and other impacts would be low, it's part of a site that has had a long-standing commercial use within it, and it's in the busier central area of Codicote where small commercial uses are nearby and further to the SE therefore the proposed use will not appear out of place here. The design is acceptable. The proposal complies with Policies D1 and HE1 of the Local Plan, and Sections 12 and 16 of the NPPF.

Neighbour amenity

- 4.3.13 The external alterations to No. 78 that could affect neighbour amenity are two new rooflights, and a new door. One of these rooflights is a replacement rooflight of a similar size and siting to the existing, and is not considered would cause any greater impacts.
- 4.3.14 The other rooflight would be at a high level to provide light to a hallway, and will not cause loss of privacy. The new door will be small and in a location not visible to neighbours, and will not harm amenity. The proposed works to No. 78 are acceptable.
- 4.3.15 The proposed conversion of the detached garage building to a wellbeing studio has resulted in the most objections being raised by neighbours. Some external alterations are proposed to facilitate the conversion. The new roof will have similar impacts to the existing and would not be harmful.
- 4.3.16 The new rooflights proposed for the roof will be at a high level and will primarily provide views of the sky, and will not harm amenity. The new front door canopy will be small and will not cause harmful overbearing impacts and loss of light to No. 3 Heath Lane to the north. The new windows will be on the front elevation where they will provide views of the rear of the site and public highways, and will not cause loss of privacy and amenity.
- 4.3.17 The applicant has specified that the use of the building would be used as a community facility for workshop-based activities. Example uses include yoga, photography, floristry, seasonal events such as wreath making and others. Such uses would be quiet, with potential noise further minimised by the proposed new internal insulation. Expected numbers of customers, staff and vehicular traffic would be small due to the small size of the building, and are not considered harmful although they may sometimes be noticeable.
- 4.3.18 The Council's Environmental Health Officer has not objected to the proposal, on the basis that a submitted Noise Management Plan identifies measures to control noise. This is considered to be a satisfactory approach to managing such impacts. The approved development shall be required to comply with the NMP by condition.

- 4.3.19 Some of the concerns raised relate to the potential use of the garden area between the rear of No. 78 and the garage building, which could result in external noise and adverse impacts on the adjoining rear garden of No. 74 High Street and No. 1 Heath Lane. The submitted plans do not show that the garden would be used for the proposed café and wellbeing studio. It is however considered that a condition can be imposed preventing such uses from taking place unless planning permission has been obtained, which would provide certainty for neighbours and would be for the avoidance of doubt.
- 4.3.20 No. 3 Heath Lane had objected to the location of the entrance for the wellbeing studio as it would have been close to their rear boundary where customers would've been able to look over their boundary fence. The applicant has since amended the proposed plans by re-siting the entrance further away, and adding a new 1.8m high fence to extend off the NW corner of the building which would block views of the rear garden of No. 3. The new fence is not considered harmful to No. 3 as it would be small, set away from the boundary, and obscured by the existing boundary fence and vegetation. Impacts on No. 3 are therefore considered acceptable.
- 4.3.21 Regarding the neighbour objections received, most of these have been addressed in this report. It's considered that impacts from construction would be relatively small due to the small scale of the works. Construction vehicles would be expected to comply with relevant highways and parking regulations, which would fall outside of planning controls. Impacts on amenity are acceptable, and complies with Policy D3 of the Local Plan.

Parking and highways

- 4.3.22 The proposal will not alter the existing access, will not be considered to generate vehicular traffic that could adversely affect the highway network, and will not alter existing manoeuvring space within the site for vehicles. Impacts on the public highway are acceptable.
- 4.3.23 Parking standards are set out in the Council's 2011 SPD. There are however no categories of development in the SPD that match what's proposed. In this case it's considered that two parking spaces exist outside the front of the garage building. The site is within walking distance of much of Codicote, with bus stops and on-street parking nearby. As the location of the site is more sustainable and expected staff and customer numbers using the wellbeing studio would be expected to be small, there are no objections regarding parking. The proposal complies with Policies T1 and T2 of the Local Plan, and Section 9 of the NPPF.

4.4 **Conclusion**

- 4.4.1 In the absence of material planning reasons to the contrary it is my view that planning permission is **GRANTED**.

5.0 **Recommendation**

- 5.1 That planning permission be **GRANTED** subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting approved documents and plans listed above.

Reason: To ensure the development is carried out in accordance with details which form the basis of this grant of permission.

3. The approved wellbeing studio shall not be used except between 0800 hours and 1900 hours Monday - Friday, 0900 hours to 1300 hours on Saturdays, Sundays, Bank or Public Holidays.

Reason: In the interests of amenity. To comply with Policy D3 of the Local Plan.

4. The approved wellbeing studio shall only be used for the purposes of indoor recreation under Class E of the Use Classes Order 1987 (as amended).

Reason: In the interests of amenity. To comply with Policy D3 of the Local Plan.

5. The wellbeing studio shall be operated in accordance with the submitted Noise Management Plan (date June 2025), unless otherwise agreed in writing with the LPA.

Reason: To protect the amenity of neighbouring residents. To comply with Policy D3 of the Local Plan.

6. The rear garden area of the site between the rear of No. 78 and its detached garage shall not be used for customer seating or other customer activities of the approved wellness studio and of No. 78 High Street without planning permission having been obtained from the Local Planning Authority.

Reason: To protect the amenity of neighbouring residents. To comply with Policy D3 of the Local Plan.

7. Prior to first use of the approved wellbeing studio, the privacy fence on the approved plans shall be erected and completed. The fence shall not be removed or altered unless approved in writing by the Local Planning Authority.

Reason: To protect the amenity of neighbouring residents. To comply with Policy D3 of the Local Plan.

Biodiversity Net Gain

1. This development is not subject to the statutory Biodiversity Gain Plan condition because it is considered exempt under the statutory exemptions (<https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>) or transitional arrangements in respect of the biodiversity gain condition.

Proactive Statement:

1. Planning permission has been granted for this proposal. The Council acted proactively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted proactively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Signed  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 9 July 2025	