

PRIOR APPROVAL SUPPORTING STATEMENT

Change of use of second-floor offices (Class E) to two one-bedroom flats (Class C3)

Regal House, 54A and 55A Bancroft, Hitchin, Hertfordshire SG5 1LL

Application under Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

Applicant: Hitchin Estates Ltd

October 2026 | Job 3838

Prepared by Pentangle Design Group

Suite 1, 21 Bancroft, Hitchin, Herts SG5 1JW | 01462 431133 | pdg@pentangledesign.co.uk

1. Introduction and proposal

This statement supports an application to North Hertfordshire District Council for a determination as to whether prior approval is required for the change of use of the second floor of Regal House from offices (Class E(g)(i)) to two self-contained flats (Class C3).

The proposal creates two one-bedroom, two-person flats (Flats C and D). Each has a kitchen/living room, a double bedroom, a bathroom and built-in storage. Both flats are reached from the existing communal entrance on Bancroft and the existing common stair, which already serves the two first-floor flats.

The proposal repeats the first-floor conversion granted prior approval in 2023 and since completed. It involves internal works only. No external alterations are proposed, and the ground-floor commercial units are unaffected.

The statement shows that the building is eligible for the Class MA right, that both flats meet the Nationally Described Space Standard, and that none of the prior approval matters under paragraph MA.2 gives cause for concern. It should be read with the submitted drawings and documents listed in section 8.

2. Site and surroundings

Regal House is a three-storey post-war red-brick building with a pitched tiled roof. It stands on the west side of Bancroft, in Hitchin town centre.

- **Ground floor:** two commercial units (Class E) fronting Bancroft, either side of a central communal entrance. These are not part of this application.
- **First floor:** two one-bedroom flats (Flats A and B), converted under prior approval ref. 23/02504/PNMA.
- **Second floor:** two office suites, the subject of this application.
- **Roof space:** an unused loft, which is not part of this application and will stay as it is.

The communal entrance leads to a common stair serving the upper floors. A second door at the rear of the stair opens onto a private car park, which the applicant owns in full. The car park has 11 marked spaces and a bin store, and is reached from Bancroft by a private drive.

The site is in the Hitchin Conservation Area and within the Hitchin Town Centre boundary. It is outside the primary and secondary shopping frontages. The building is not listed. The site is in Flood Zone 1.

The town-centre location gives residents easy access on foot to shops, services and public transport.

3. Planning history

Reference	Proposal	Decision
23/02504/PNMA	Conversion of first-floor office (Class E) into two one-bedroom flats (Class C3)	Prior approval granted, 4 December 2023. Implemented.

The 2023 approval accepted the principle of converting office floorspace in this building to flats under Class MA. It was granted after the Hitchin town-centre Article 4 Direction came into force. The decision notice refers to “Class M”, but the application was made on the Class MA form, and Class M was replaced by Class MA on 1 August 2021.

The first-floor flats have been built and are occupied. They use the same entrance, stair, car park and bin store as the flats now proposed. The current proposal follows the same approach: two one-bedroom flats of a similar size, served in the same way.

4. Eligibility

The building meets every eligibility test in paragraph MA.1 and is not covered by an Article 4 Direction.

Test	Position at Regal House	Met
Class E use for a continuous period of at least 2 years immediately before the application	Office use (Class E(g)(i)) shown on drawing 3838 05A, submitted with application 23/02504/PNMA in October 2023, and confirmed by the current business rates assessments. See below.	Yes
Site of Special Scientific Interest	Not in or part of an SSSI	Yes
Listed building, or land within its curtilage	Not listed; not within the curtilage of a listed building	Yes
Scheduled monument, or land within its curtilage	None	Yes
Safety hazard area or military explosives storage area	Neither	Yes
Article 2(3) land other than a conservation area (National Landscape, National Park, the Broads, World Heritage Site)	In the Hitchin Conservation Area only. Conservation areas are not excluded from Class MA	Yes
Agricultural tenancy	None	Yes
Article 4 Direction	Not covered. See below	Yes

Use of the second floor. The second floor comprises two office suites, 54B and 55B Bancroft. Both were shown in use as offices on the existing drawings (3838 05A) submitted with application 23/02504/PNMA in October 2023, which are on the Council’s own file. Both are assessed for business rates as “Offices and Premises” (property references 50600570 and 50600580), and the 2026/27 rates bills are submitted with this application.

Suite 54B is vacant. Suite 55B is currently occupied as offices; the applicant intends to relocate the occupier to other premises in its ownership before conversion works start.

Vacancy has not changed the lawful use of Suite 54B, which remains office use within Class E. Since 5 March 2024, Class MA no longer requires a building to be vacant before an application is made, so the current occupation of Suite 55B does not prevent this application.

Article 4 Direction. The Council’s Article 4 Direction for Hitchin town centre removes Class MA rights only from non-listed buildings within the primary and secondary shopping frontages defined under Local Plan Policies ETC4 and ETC5. Regal House is outside those frontages. The

Council's grant of prior approval for the first floor in December 2023, after the Direction came into force, is consistent with this.

Tests no longer in force. The former 1,500 m² floorspace limit and the three-month vacancy requirement were removed in March 2024. In any case, the second floor is far below 1,500 m².

5. Space standards

Both flats meet or exceed the Nationally Described Space Standard (NDSS) for a one-bedroom, two-person, single-storey dwelling. They therefore satisfy Article 3(9A) of the GPDO.

Standard	NDSS requirement	Flat C	Flat D
Gross internal area	50 m ² minimum	53.4 m ²	53.5 m ²
Built-in storage	1.5 m ² minimum	1.5 m ²	1.5 m ²
Double bedroom area	11.5 m ² minimum	13 m ²	13 m ²
Double bedroom width	2.75 m minimum	2.75 m	2.75 m
Floor-to-ceiling height	2.3 m minimum over at least 75% of GIA	2.425 m throughout	2.425 m throughout

The kitchen/living room in each flat measures 27 m². This gives generous day-to-day living space for two occupants.

6. Prior approval matters

Paragraph MA.2 limits the Council's assessment to the matters below. None of them raises a concern.

(a) Transport impacts, particularly to ensure safe site access

The site access, car park and communal entrance are unchanged and no highway works are proposed. Two office suites generate weekday staff and visitor trips; two one-bedroom flats will generate a similar or lower number of trips, spread more evenly through the day. Each flat will have one allocated space in the rear car park: space 09 for Flat C and space 08 for Flat D. The town-centre location means most day-to-day journeys can be made on foot or by public transport.

(b) Contamination risks

The works are wholly internal and involve no ground disturbance. The building has only been used for offices and shops, so there is no contamination risk to future occupiers.

(c) Flooding risks

The Environment Agency Flood Map for Planning places the site in Flood Zone 1, the lowest probability of river and sea flooding. The site is under 1 hectare, and we are not aware of it being in an area notified as having critical drainage problems, so a flood risk assessment is not required. A current Flood Map for Planning extract is submitted with the application. The new homes are at second-floor level. The building's footprint and drainage are unchanged.

(d) Impacts of noise from commercial premises on the intended occupiers

The new flats are on the second floor. They are separated from the ground-floor commercial units by the first-floor flats, and no commercial premises share a floor or wall with them. The neighbouring buildings are in residential, office and retail use. The front windows face Bancroft, a town-centre street with daytime activity typical of flats above shops across Hitchin. Sound insulation between the flats and the floor below will be provided under Part E of the Building Regulations.

(e) Impact on the character or sustainability of the conservation area

This matter applies only where the change of use involves the ground floor. The proposal affects the second floor only, so the matter is not engaged. For completeness, no external alterations are proposed, and the building's appearance and contribution to the Hitchin Conservation Area are unchanged. The ground-floor commercial frontage to Bancroft is kept in full.

(f) Introduction of residential use into an area of industry, waste management, storage or distribution

Not applicable. The site is in a town centre with no such uses nearby.

(g) Loss of registered nursery or health centre services

Not applicable. The floorspace is used as offices, not as a nursery or health centre.

(h) Adequate natural light in all habitable rooms

Every habitable room is lit by existing window openings in the external walls. No habitable room relies on borrowed light or rooflights. The bathrooms, which are not habitable rooms, are internal and will be mechanically ventilated.

Flat	Room	Area	Windows	Outlook
C	Kitchen/living	27 m ²	Five windows (see drawing 3838 52A)	Rear, roughly west-north-west, over the open car park
C	Bedroom	13 m ²	Two large windows (see drawing 3838 52A)	Front, roughly east-south-east, over Bancroft
D	Kitchen/living	27 m ²	Five windows (see drawing 3838 52A)	Rear, roughly west-north-west, over the open car park
D	Bedroom	13 m ²	Two large windows (see drawing 3838 52A)	Front, roughly east-south-east, over Bancroft

The rear windows look over the open car park, with no buildings close enough to block daylight, and receive afternoon and evening sun. The front windows face across the full width of Bancroft. The same windows already light the office floor, and identical windows light the first-floor flats below. Room dimensions and window positions are shown on drawing 3838 52A.

(i) Fire safety

Not applicable. This matter applies only to buildings 18 m or more in height or with seven or more storeys. Regal House has three storeys and is well under 18 m. Fire safety in the conversion, including protection of the common stair shared with the first-floor flats, will be dealt with under Part B of the Building Regulations.

7. Other matters

- **Car parking:** one allocated space per flat in the applicant's rear car park (spaces 08 and 09), following the arrangement for the first-floor flats. The other spaces stay with the existing occupiers of the building.
- **Cycle storage:** secure, covered storage for two cycles can be provided in the rear car park. The applicant would accept a condition requiring details before occupation.
- **Refuse and recycling:** bins will be kept in the existing bin store in the rear car park, which already serves the building. Collection arrangements are unchanged.
- **External appearance:** no external alterations are proposed. The front and rear elevations, roof and ground-floor shopfronts stay as they are.
- **Loft:** the roof space stays as an unused loft and is not part of the proposal.
- **Biodiversity net gain:** statutory biodiversity net gain does not apply to development granted by the GPDO.
- **Conditions of the permitted development right:** the development will be completed within three years of the prior approval date. The dwellings will be used only as dwellinghouses within Class C3.
- **Building Regulations:** a separate Building Regulations application will cover fire safety, sound insulation, ventilation and energy performance.

8. Conclusion

The proposal is permitted development under Class MA:

- the building is eligible;
- the Hitchin town-centre Article 4 Direction does not apply;
- both flats meet or exceed the Nationally Described Space Standard; and
- none of the prior approval matters raises a concern.

It repeats a conversion the Council has already approved and seen built in the same building. It adds two homes in a sustainable town-centre location without any change to the building's appearance or to the ground-floor commercial units. We ask the Council to confirm that prior approval is not required or, if it is required, that it is granted.

Submitted with this application

Document	Reference
Location and Site Plan, 1:1250 and 1:500	3838 50
Existing Drawings (plans and elevations), 1:100	3838 51
Proposed Plans and Elevations, 1:100	3838 52A
Environment Agency Flood Map for Planning extract	Dated 30 September 2026
Business rates bills 2026/27, Suites 54B and 55B	Property refs 50600570 and 50600580
Prior Approval Supporting Statement	This document