

DELEGATED FILE NOTE

CASE OFFICER: ...Henry Thomas.....

**APPLICATION
REFERENCE**

**BRIEF DESCRIPTION OF
DEVELOPMENT**

APPLICATION SITE

24/02590/FP

Continuous use of main dwelling as a
day nursery (Use Class E(f))

30 Glebe Road
Letchworth Garden City
Hertfordshire
SG6 1DR

Submitted Plan Nos

Location plan Current G/F lan Current F/F plan Prior G/F plan Prior F/F plan

1.0 Policies

D1 Sustainable design

D3 Protecting living conditions

SECN12	Achieving well-designed places
T1	Assessment of transport matters
SP1	Sustainable development in North Herts
SECN8	Promoting healthy and safe communities

2.0 **Site History**

- | | | |
|-----|--|--------------------------------|
| 2.1 | 88/00646/1 - Use of detached building in rear garden for nursery school. | Conditional Permission. |
| 2.2 | 89/01105/1 - Use of detached building in rear garden for nursery school (renewal of planning application 1/646/89), on a permanent basis | Conditional Permission. |
| 2.3 | 90/00592/1 - Continued use of detached building for nursery school as a variation of condition no 2 planning ref no 1/1105/89 granted on 7.9.89 (hours of operation extended to permit afternoon sessions up to 3.30pm) | Conditional Permission. |
| 2.4 | 92/00258/1 - Single storey side extension to existing nursery school. | Conditional Permission. |
| 2.5 | 93/00640/1HH - Single storey rear extension following demolition of conservatory. | Conditional Permission. |
| 2.6 | 04/01669/1 - Side and rear single storey extension to existing outbuilding to facilitate expansion of kindergarten business to allow for 12 additional places. (Amended by letter dated 24th November 2004 and amplified by plans received 21st February 2005) | Conditional Permission. |
| 2.7 | 06/01338/1 - Single storey extension to existing outbuilding to facilitate expansion of kindergarten business as variation of planning ref 04/01669/1 granted permission on 02.03.05 | Conditional Permission. |
| 2.8 | 09/00988/1HH - First floor rear and side extension. | Conditional Permission. |

2.9 24/02576/LDCE - Continuous use of outbuildings as a day nursery (Use Class E(f))
Concurrent Application.

3.0 **Representations**

3.1 **Site Notice and Neighbour Notifications** – None received.

3.2 **Letchworth Garden City Heritage Foundation** - None received.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The proposed site consists of a two-storey dwelling with two large single storey outbuildings to the rear. The main building has been unlawfully in use with the nurse since 2022. The outbuildings have been in use since 2004, the proposed LDCE seeks to regularise this usage. The site includes an access road to the side of the dwelling and a parking area to the front of the dwelling. The site is screened from Glebe Road by a large hedge. The site is within the Letchworth Conservation Area.

4.2 **Proposal**

4.2.1 The applicant seeks to retain the existing unlawful conversion of a residential dwelling (C3) to Class E(f) of the Town and Country Planning Use Classes Order (2020) (as amended).

4.2.2 The ground floor has been converted into a small group activities room, a sensory / send room, kitchen, office and toilet. The first floor consists of a staff room, storage room, meeting room, bathroom and two unused former bedrooms.

4.3 **Key Issues**

4.3.1 The key issues relate to

- ☐ The principle of the change of use.
- ☐ The impact of the proposals upon the character and appearance of this part of the Letchworth Conservation Area.
- ☐ The impact of the proposals upon the amenity of the area and nearby premises.
- ☐ Highways/parking.

Principle of development

4.3.2 The proposed development is located within the settlement boundary for Letchworth Garden City where development is generally supported. Although North Herts have no specific policies in the Local Plan relating to Nurseries, paragraph 100 under section 8 of the NPPF states that:

“Local planning authorities should...

- a) give great weight to the need to create, expand or alter early years, schools and post-16 facilities through the preparation of plans and decisions on applications; and*
- b) work with early years, school and post-16 promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.”*

Although the applicant has not utilised North Herts' Pre-application advice service, planning application relating to education facilities are generally supported subject to meeting other policy requirements outlined in this report.

Design

- 4.3.3 No external alterations have been proposed to facilitate the change of use. Therefore, the conversion is broadly considered acceptable in design terms and would not be considered harmful to the Conservation Area.
- 4.3.4 The proposal is considered compliant with Policy D1 and HE1 of the Local Plan.

Neighbour Amenity

- 4.3.4 The existing site has been in continuous use as a children's nursery since 2004, although the conversion of the host building to provide more space for the nursery, the maximum capacity of the nursery remains unchanged. As such, much of the host building has been converted into staff and office space and is therefore unlikely to contribute to any significant increase in noise output than a residential dwelling. As such, the majority of the nursery operations is restricted to the outbuildings in the rear garden and away from the neighbouring dwellings. Given the nature of the use, which would be a daytime activity, I do not consider that it would have any material unacceptable impact on the amenity of nearby premises.
- 4.3.5 The proposal is considered compliant with Policy D3 of the Local Plan and Section 12 of the NPPF.

Highways/Parking

- 4.3.5 The site is served by 6 parking spaces which are reserved for the 9 staff members. The cover letter states that this is mitigated by car-sharing and walking to work. It is considered that Letchworth is a sustainable location with access to public transport links. In addition, as a part of the license from the LGC Heritage Foundation, parents are required to sign a Responsible Parking Declaration to limit impact from drop off and pick up times. Given the existing usage of the site over the past two decades, it is considered that the impact on parking and traffic within the area is acceptable.
- 4.3.6 The proposal is considered compliant with Policy T1 of the Local Plan.

4.4 Conclusion

- 4.4.1 I see no objection either in principle or in detail to the proposal as submitted and have framed a favourable recommendation accordingly.

4.5 Alternative Options

- 4.5.1 None applicable

4.6 Pre-Commencement Conditions

- 4.6.1 I can confirm that no pre-commencement conditions are proposed.

5.0 Recommendation

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

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:

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.

Signed  Shaun Greaves Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 21 January 2025	