

DELEGATED FILE NOTE

CASE OFFICER: ...Tom Rea.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/00256/PNMA	Change of use from commercial unit to one 1-bed flat. (Amended plan received 12/03/25).	148 London Road Knebworth Hertfordshire SG3 6EY

Submitted Plan Nos

2087_YPUK_P001 2087_YPUK_P002 P4 2087_YPUK_P003(A) 2087_YPUK_P004(A)
2087_YPUK_P004(A) 2087_YPUK_P004(B)

1.0 Policies

2.0 **Site History**

2.1 Extensive site history. None of such relevant to this application.

3.0 **Representations**

3.1 **Site Notice and Neighbour Consultation** – Objection from neighbour on grounds of loss of commercial space.

3.2 **HCC Highways** – Objection – insufficient information on visibility

3.3 **Environmental Health (Noise)** No objection

3.4 **Knebworth Parish Council** – Objection – full details on web site.

3.5 **Waste and Recycling** – Bin store and bin collection provision must be outlined

4.0 **Planning Considerations**

4.1 **Site & Surroundings**

4.1.1 The application site is an existing two-storey commercial building with rear car park on the west side of London Road, Knebworth. The site is accessed through a vehicular access from London Road. The building is designated as within a retail area in the Knebworth Neighbourhood Plan and within a Local Centre under Policy ETC6 of the North Herts Local Plan.

4.2 **Proposal**

4.2.1 Prior Approval is sought for the conversion of the first floor office building (Use Class E) into a one bed dwelling (Use Class C3), under Class MA, Part 3 of Schedule 2 of the General Permitted Development Order as amended.

4.3 **Key Issues**

4.3.1 The key issue is firstly whether the proposed development complies with the relevant criteria as set out in MA.1, defined by The Town and Country Planning (General Development Order) 2015 Schedule 2, Part 3, Class MA as amended. Secondly, whether the proposed development would require Prior Approval for matters in relation to the conditions listed in paragraph MA.2.

4.3.2 **Permitted development**

MA. Development consisting of a change of use of a building and any land within its curtilage from a use falling within Class E (commercial, business and service)

of Schedule 2 to the Use Classes Order to a use falling within Class C3 (dwellinghouses) of Schedule 1 to that Order.

Development not permitted

MA.1.—(1) Development is not permitted by Class MA —

(b) unless the use of the building fell within one or more of the classes specified in sub-paragraph (2) for a continuous period of at least 2 years prior to the date of the application for prior approval.

The applicant has stated that the building has been in one or more of the appropriate classes for the allotted period (Class B1 and E) and as such, the proposal does not conflict with this criterion.

(d) if land covered by, or within the curtilage of, the building—

(i) is or forms part of a site of special scientific interest;

(ii) is or forms part of a listed building or land within its curtilage;

(iii) is or forms part of a scheduled monument or land within its curtilage;

(iv) is or forms part of a safety hazard area; or

(v) is or forms part of a military explosive's storage area;

The building is not covered by, or within the curtilage of, any of the above. Therefore, the proposal does not conflict with this criterion.

(e) if the building is within—

(i) an area of outstanding natural beauty;

(ii) an area specified by the Secretary of State for the purposes of section 41(3) of the Wildlife and Countryside Act 1981;

(iii) the Broads;

(iv) a National Park; or

(v) a World Heritage Site.

The building is not within any of the above. Therefore, the proposal does not conflict with this criterion.

(f) if the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained; or

The building is not occupied under an agricultural tenancy. Therefore, the proposal does not conflict with this criterion.

(g) before 1 August 2022, if—

(i) the proposed development is of a description falling within Class O of this Part as that Class had effect immediately before 1st August 2021; and

(ii) the development would not have been permitted under Class O immediately before 1st August 2021 by virtue of the operation of a direction under article 4(1) of this Order which has not since been cancelled in accordance with the provisions of Schedule 3.

This application is being determined after 1st August 2022. Therefore, this criterion is not applicable.

(2) The classes mentioned in sub-paragraph (1)(b) are the following classes of the Use Classes Order—

(a) the following classes of the Schedule as it had effect before 1st September 2020—

(i) Class A1 (shops);

(ii) Class A2 (financial and professional services);

(iii) Class A3 (food and drink);

(iv) Class B1 (business);

(v) Class D1(a) (non-residential institutions – medical or health services);

(vi) Class D1(b) (non-residential institutions – crèche, day nursery or day centre);

(vii) Class D2(e) (assembly and leisure – indoor and outdoor sports), other than use as an indoor swimming pool or skating rink;

(b) on or after 1st September 2020, Class E (commercial, business and service) of Schedule 2.

4.3.3 Conditions MA.2.—

(1) Development under Class MA is permitted subject to the following conditions.

(2) Before beginning development under Class MA, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—

(a) transport impacts of the development, particularly to ensure safe site access;

The applicant has not submitted any information stating N/A on the application form. However the first floor is accessible from a side doorway off an established vehicular access that leads to private land at the rear.

As such, in relation to safe site access, I have no objections to the proposed development.

As for transport, the site is located within a sustainable location with many public transport modes within walking distance.

(b) contamination risks in relation to the building;

The building was previously in an office use and no major ground works are proposed. Therefore, it is unlikely that there will be any risks of contamination as a result of this development.

(c) flooding risks in relation to the building;

The site is within Flood Zone 1, so there is a very low level of flood risk in my opinion.

(d) impacts of noise from commercial premises on the intended occupiers of the development;

The Environmental Health Officer has expressed no objection to this proposal, which sits comfortably within other commercial uses. Therefore, I have no objections to the proposed development on noise impacts.

(e) where—

- (i) the building is located in a conservation area, and**
- (ii) the development involves a change of use of the whole or part of the ground floor, the impact of that change of use on the character or sustainability of the conservation area;**

The building is not located within a Conservation Area

No change of use is proposed for any part of the ground floor

(f) the provision of adequate natural light in all habitable rooms of the dwellinghouses;

All habitable rooms will have windows. Therefore, there are no objections in this regard.

(g) the impact on intended occupiers of the development of the introduction of residential use in an area the authority considers to be important for general or heavy industry, waste management, storage and distribution, or a mix of such uses;

None of the aforementioned uses are within close proximity to the building. Therefore, there are no objections in this regard.

(h) where the development involves the loss of services provided by—

- (i) a registered nursery, or**
- (ii) a health centre maintained under section 2 or 3 of the National Health Service Act 2006, the impact on the local provision of the type of services lost.**

Not Applicable.

(i) where the development meets the fire risk condition, the fire safety impacts on the intended occupants of the building.

The development would not meet the height conditions for fire risk safety impacts.

(3) An application for prior approval for development under Class MA may not be made before 1 August 2021.

Not Applicable.

(4) The provisions of paragraph W (prior approval) of this Part apply in relation to an application under this paragraph as if –

(a) for paragraph (e) of sub-paragraph (2) there were substituted—

“(e) where—

- (i) sub-paragraph (6) requires the Environment Agency to be consulted, a site-specific flood risk assessment;**

(ii) sub-paragraph (6A) requires the Health and Safety Executive to be consulted, a statement about the fire safety design principles, concepts and standards that have been applied to the development,”; [see *interpretation of Class MA below*]

(b) in the introductory words in sub-paragraph (5), for “and highways impacts of the development” there were substituted “impacts of the development, particularly to ensure safe site access”;

(c) after sub-paragraph (6) there were inserted—
“(6A) Where the application relates to prior approval as to fire safety impacts, on receipt of the application, the local planning authority must consult the Health and Safety Executive.”; [see *interpretation of Class MA below*]

(d) in sub-paragraph (7) for “(5) and (6)” there were substituted “(5), (6) and (6A)”;

(5) Development must be completed within a period of 3 years starting with the prior approval date.

(6) Any building permitted to be used as a dwellinghouse by virtue of Class MA is to remain in use as a dwellinghouse within the meaning of Class C3 of Schedule 1 to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the use as a dwellinghouse.”.

4.4 Conclusion

- 4.4.1 The proposed conversion of the office building into a 1x 1-bedroom dwelling would comply with the criteria set out in Part 3, Schedule 2 of the General Permitted Development Order as amended. The Prior Approval of the Local Planning Authority is required and as no objections are raised, is granted.

5.0 Recommendation

- 5.1 That Prior Approval be **GRANTED** for the following reason:

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.

Signed  Anne McDonald Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 31 March 2025	