

DESIGN AND ACCESS STATEMENT

INTRODUCTION

This application seeks permission for the ground floor of the building to be used for a Dental Practice and minor changes to the proposed external appearance of the building to facilitate this. These are proposed as amendments to the previously approved application 19/02398/FP

With the recent changes in the use class definitions - which were introduced to provide more flexibility of the use of commercial space - permission for the change of use is arguably not necessary. The existing space (most recently a carpet shop) could be lawfully changed to a dentist without permission.

However, there is a need for the planning record for the site to be resolved and it has been established that variations to the previous permission are not workable.

USE and AMOUNT

The current use of the ground floor is Class E. The last use of the building was a carpet shop. With the works not yet completed, the permitted use is considered not yet to be in force.

The permitted scheme sub-divided the space into three, which will no longer be necessary. The proposed use is a Dental Practice. This comes under Class E (e)

CHARACTER AND APPEARANCE

The character and appearance does not significantly change from the approved scheme. The shop front is retained on the south elevation, but with the building entrance on the east elevation, the additional doors on the south elevation are not required. In this respect, the proposals are broadly unchanged from the original building.

PLANNING POLICY

The ground floor of the building has previously been in Class E use (former class A1) and was last used as a carpet showroom. Permission was granted under application 19/02398/FP for residential use of the upper floors and the sub-division of the ground floor to create 3 no units of flexible commercial space. In this the use granted for the ground floor was the former use classes of A1 and A2 (retail and professional services). The construction works are nearing completion, but not yet complete.

The previous approval granted permission for A1 and A2 use for the ground floor accommodation. These use classes are no longer applicable and have been replaced by Class E: Commercial Business and Service. This was introduced with the expressed aim of providing flexibility for developers at a time when there is a need to repurpose town centres and high streets. Given the last active use was A1, which will have defaulted to Class E, it could be argued that in fact no change of use is taking place in regard to national policy.

In local terms, this part of the town centre is designated as Secondary Shopping frontage, which is subject to policy ETC5 in the NHDC Local Plan which states:

In the Secondary Shopping Frontages of Hitchin, Letchworth Garden City, Baldock and Royston, as shown on the Policies Map, planning permission will be granted at ground-floor level:

a) For shops, financial and professional services, restaurants and cafes, pubs or drinking establishments and takeaways; or

b) For other main town centre uses if it does not individually or cumulatively, undermine the retail function of the centre or detract from the centre's vitality and viability.

The proposed use comes into category b) of the above. As well as bringing a useful service to the town centre in a highly sustainable location, the premises will be open during office hours, so while the building will not have the same 'active frontage' as a shop or cafe, it will attract regular visitors, who will then have the opportunity to also make use of other nearby shops and services. In this regard, the impact will be similar - and arguably greater - than Financial and Professional service type uses and is therefore considered an appropriate use in regard to policy ETC5.

The shopfronts on the south elevation have been completed and the existing entrance on the Queen Street frontage will remain in place.

The dental practice use will result in a relatively 'inactive' frontage although it would be comparable to 'financial and professional services' that come under category (a) in the above policy.

No 35 Hermitage Road, also designated in the secondary shopping frontage was granted permission for change of use to a Dental Surgery in 2011 (Ref: 11/02974/1). In the Reasons for Decision it was noted:

The proposed change of use would cause no harm to the vitality and viability of the town centre and as such can be treated as an exception to Policy 43 – Shopping Areas in Town Centres.

While this related to the policy that preceded ETC5, it is considered the principles of the policies are similar, seeking to retain the town centre vitality and viability.

Being at the outer perimeter of the secondary frontage area, the unit is unlikely to benefit from much 'passing' trade, which would benefit conventional 'shopping frontage' uses as set out in ETC5 and this is likely to have contributed to the failure of the businesses that previously occupied the building.

The Dental use - being a destination in itself and not reliant on passing trade - could benefit the existing nearby businesses, bringing potential customers past their premises.

As such, we consider the proposal neither individually or cumulatively, undermines the retail function of the centre or detracts from the centre's vitality and viability and therefore are consistent with the objectives of policy ETC5.

ACCESS

The building retains the existing pedestrian access on Queen Street. The town centre location and easy access to nearby public transport means staff and visitors needn't be reliant on the private car.

There is a cycle store on site for parking staff cycles, and visitor cycles can be stored nearby.

ECOLOGY AND BIO-DIVERSITY

The site is currently fully covered in building and hardstanding and therefore below the threshold for bio-diversity net gain. The introduction of the previously approved raised planters will enhance the biodiversity of the site in any event.

HERITAGE ASSESSMENT

The changes to the appearance of the building are limited to the omission of some previously approved entrance doors. As such, there are no significant changes that impact on the character of the conservation area.

CONCLUSIONS

This application seeks approval for use as a Dentist for the ground floor with related minor changes to the external appearance. A single unit is proposed, compared with the 3no units proposed in the previously approved proposals.

Given this is within use Class E, this would ordinarily be a change of use that would not require planning permission.

As argued above, we consider the proposed use is appropriate in the secondary shopping frontage area, providing a valuable service to local people in a highly sustainable location. The building will be open during normal working hours and its regular visitors and staff will contribute to the vitality and viability of the wider town centre and therefore accords with the councils policy ETC5.

We consider the government chose to make a change to the use classes order to make it easier for existing units of this nature to change between a wider range of use classes. It would surely therefore be illogical if units were then restricted on the basis that they were granted at a time when the use classes order was more restrictive.