

DELEGATED FILE NOTE

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

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/00473/FP	Change of use from storage and distribution (B8) to pool hall (class E).	Vital House 59 - 61 Knowl Piece Wilbury Way Hitchin Hertfordshire SG4 0TY

Submitted Plan Nos

Location Plan Block Plan Exisitng Ground Floor Plan Existing First Floor Proposed Ground Floor
Proposed First Floor

1.0 Policies

D1	Sustainable design
D3	Protecting living conditions

ETC1	Appropriate uses in Employment Areas
SECN11	Making effective use of land
SECN12	Achieving well-designed places
SECN6	Building strong, competitive economy
SECN9	Promoting sustainable transport
SP3	Employment
SP2	Settlement Hierarchy and Spatial Distrib
SP6	Sustainable transport
T2	Parking
SP9	Design and Sustainability

2.0 **Relevant site history**

2.1 None.

3.0 **Representations**

3.1 **Environmental Health** – No objections.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The site is a two storey building with a pitched roof. It's present use is storage and distribution (Use Class B8), although the building is vacant. The site is in a commercial and industrial area, where nearby uses are mainly light industrial, offices, storage or similar. The site is within an allocated Employment Area.

4.2 **Proposal**

- 4.2.1 The change of use of the building from storage and distribution (B8) to a pool hall (Use Class E). No external alterations are proposed. Opening hours are proposed to be 12 to 23:30 Monday to Friday, and Sundays/Bank Holidays; and 12 to 00:00 Saturdays.

4.3 **Key Issues**

- 4.3.1 The key material considerations are whether the development is acceptable in principle, character and appearance, impacts on residential amenity, and parking.

Principle

- 4.3.2 The site is in an allocated Employment Area in the Local Plan. LP Policy ETC1 sets out what uses are appropriate in Employment Areas, with the Policy stating:

Within the safeguarded Employment Areas, and the Employment Allocations (BA10 and RY9), as shown on the Policies Map, planning permission will be granted for office, research and development, industrial processes, industrial and storage and distribution uses provided:

- a) For allocated sites any relevant site-specific criteria are met; and*
- b) Any Use Class B8 development is easily accessible from the primary road network.*

Planning permission for other uses will be granted as an exception to the above criteria provided they are:

- i. Ancillary to the above uses;*
- ii. Essential to the continued operation of an established premises;*
- iii. Would bring comparable benefits to office, research and development, industrial processes, industrial and storage and distribution uses in the same location; or*
- iv. Would make use of a site that would otherwise be likely to become or remain vacant for an extended period of time.*

Conditions and legal agreements will be used to limit uses to ensure that development meets, and will continue to meet, identified employment needs.

- 4.3.3 The proposed use as a pool hall would not fall within the first part of ETC1. Under the remaining part of ETC1, the pool hall would employ 9 employees and would make use of a vacant building, therefore it's considered that iii and iv would be complied with.

- 4.3.4 The pool hall would also be within Class E, which includes uses such as offices and light industry that would allow the building to be converted in the future to such a use that would be more 'traditional' in the Employment Area. The principle of the change of use is acceptable. The proposal complies with Local Plan Policies SP3 and ETC2; and Section 6 of the NPPF.

Character and appearance

- 4.3.5 The proposal does not include any external alterations to the building or the site. The proposed use as a pool hall would be quiet and would be expected to have impacts on

the locality comparable to office uses for example. In the wider Employment Area there are uses such as gyms, therefore the pool hall is not considered out of place in the area. The proposal complies with Policy D1 of the Local Plan, and Section 12 of the NPPF.

Neighbour amenity

- 4.3.6 There are no dwellings anywhere near the site, therefore the use will not affect residential amenity. Nearby uses are offices and light industrial, which are not considered would be affected by the use. It's not considered that hours of use or the use of the site should be restricted by conditions as the proposed use and the location of the building are not so sensitive that they should be controlled. Impacts on amenity are acceptable, and complies with Policy D3 of the Local Plan.

Parking

- 4.3.7 Parking standards are set out in the Council's 2011 SPD. There are no categories for pool halls in the standards, and no direct equivalents. The application form states there are 16 existing parking spaces, however the site does not appear to have such capacity with the number of parking spaces considered to be under 10.
- 4.3.8 Parking provision is however considered acceptable as not all employees are likely to be on site at the same time, pool halls do not generally attract large numbers of people at the same time, the location of the site is at one of the outer edges of Hitchin and more difficult to get to which would discourage some visitors, and unallocated on-street parking is near the site.
- 4.3.9 The proposed use does not have any cycle parking, however this is the case with the present site, and as the proposal is only for a change of use not a larger redevelopment of the site, it's not considered that an objection can be raised over the lack of cycle provision. 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.

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: 29 April 2025	