

DELEGATED FILE NOTE

CASE OFFICER: ...William Thompson.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/02795/FP	Change of use from Sui Generis Car Sales to Class E(d) Indoor Sports, Recreation or Fitness (gym).	Unit 7-10 Station Approach Hitchin Hertfordshire SG4 9UW

Submitted Plan Nos

1680-4-001-A 1945-1-003A 1945-1-004-B

SP3	Employment
SP9	Design and Sustainability
D1	Sustainable design
D3	Protecting living conditions
ETC1	Appropriate uses in Employment Areas
T2	Parking
SECN6	Building strong, competitive economy
SECN12	Achieving well-designed places
NE4	Biodiversity and geological sites

National Planning`Policy Framework (NPPF) 2012

6 - Building strong, competitive economy

12 - Achieving well-designed places

North Hertfordshire Draft Local Plan (NHLP) 2011-2031

SP3 Employment

SP9 Design and Sustainability

D1 Sustainable design

D3 Protecting living conditions

ETC1 Appropriate uses in Employment Areas

T2 Parking

NE4 Biodiversity and geological sites

2.0 Relevant Site History

2.1 None relevant.

3.0 Representations

3.1 **Environmental Health** – No objection - subject to noise management plan condition.

3.2 **HCC Highways** - No comment.

3.3 **North Herts Council Ecologist** – No objection.

3.4 **Site and Neighbour** – No objection but concern over potential noise.

4.0 Planning Considerations

4.1 Site and Surroundings

4.1.1 The site is located along Station Approach, Hitchin, and is positioned to the south of the Hitchin Railway Station Carpark. The site is typical of premises within Station Approach, which accommodates gym facilities and light industrial uses.

4.2 Proposal

4.2.1 Permission is sought for the change of use from car sales (Sui Generis) to gym (Class E(d)) with ancillary office space. Permission is also sought for the use of the 11no. existing vehicular parking spaces on site, as well as the creation of 6no. cycle parking spaces (conversion of existing smoking shelter). No external alterations to the building are proposed.

4.3 Key Issues

4.3.1 The key issues for consideration are as follows:

- The acceptability of the proposal in principle;
- The impact of the proposed development on the character and appearance of the area;
- The impact of the proposed development on neighbour amenity;
- Access and parking matters;
- The impact of the proposed development on the environment.

Principle of Development

- 4.3.2 The site is located within an Employment Area (HE3) designated by the NHLP. Policy SP3 outlines the LPA's commitment to supporting Employment Areas within the District, which is supported in principle by Section 6 of the NPPF.
- 4.3.3 Policy ETC1 outlines appropriate uses for designated Employment Areas. Paragraph iii states that proposed uses outside of office, research and development, industrial processes, industrial and storage and distribution uses will be considered, providing that they are 'essential to the continued operation of an established premises. The proposed change of use would enable the existing business, presently located within the Employment Area along Station Approach, to expand their operations. The site has not been in employment use for some time as it has been a motor showroom under Sui Generis use; while a specific proposed employment number has not been provided, this would likely show an increase in employment via a Gym (Class E(d)) rather than a show room. Therefore, the proposed change of use is considered to meet the requirements of Policies SP3 and ETC1.

Character and Appearance

- 4.3.4 Policy D1 of the NHLP requires that development proposals respond positively to the site's local context, which is supported by Section 12 of the NPPF.
- 4.3.5 No external alterations are proposed to the existing building. The wider area shares the industrial character of the site and accommodates other sport facilities, including the applicant's current gym premises on Station Approach.
- 4.3.6 Therefore, the proposal would not have an adverse impact on the character of the locality and complies with Policy D1 of the NHLP and the principles of the NPPF.

Impact on Neighbours

- 4.3.7 A core planning principle set out in the NPPF is to always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. This principle is reflected in the provisions of Policy D3 of the NHLP.

- 4.3.8 Residential dwellings on Benslow Rise and Benslow Lane lie to the rear of the site behind a row of trees. Nearby uses are light industrial and sport facilities, which are not considered to overly affect by the use of these dwellings.
- 4.3.9 The proposed operating hours are 24/7. The business currently operates on a different site located on Station Approach within these operating hours, showing minimal disruption to the surrounding area. The applicant has submitted a noise management plan to show how operations within the 24/7 use will be mitigated. This includes no amplified music being played between 20:00 and 08:00 and the use of appropriate insulation and acoustic felt backing to cladding. This plan has been accepted by Environmental Health (Noise) and will be subject to condition.
- 4.3.10 Therefore, the proposal is considered to accord with Policy D3 of the Local Plan and the principles of the NPPF.

Highways and Parking

- 4.3.11 Policy T2 of the NHLP refers to the parking requirements for non-residential development outlined by the *Vehicle Parking at New Development* SPD (2011). There are no categories for 'gyms' within the SPD. However, there are 11no.

Existing

spaces on site, which is considered to be adequate vehicular parking provision for the proposed use.

- 4.3.12 Policy T2 also requires applicants to demonstrate provision of 'all likely types of parking demands'. Accordingly, the application proposes to convert the existing covered 'smoking' area to cycle parking for staff and patrons, which is deemed to be Acceptable.

Environmental Implications

- 4.3.13 The proposed development would be consistent with the criteria set out in Policy D1 of the NHLP '*Sustainable Design*'. There are no other significant environmental implications as a result of the proposed development.

Ecology and Biodiversity Net Gain

4.3.14 At present, the site is comprised of hardstanding and the proposal does not seek to amend this. Therefore, the applicant's 'de minimis' exception is accepted. Biodiversity Net Gain does not apply. Similarly, with regard to Policy NE4 of the NHLP, as this is a change of use application with minimal external changes and the site is comprised of hardstanding with no existing habitat value, no biodiversity enhancements are included. While this fails to comply with Policy NE4, this would not provide a strong enough reason for refusal given the site's context.

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**.

4.5 Alternative Options

4.5.1 None.

4.6 Pre-Commencement Conditions

4.6.1 None.

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.

3. The use hereby permitted shall be operated in accordance with the submitted noise management plan (Ref: NMP-01) dated January 2026, or any subsequent amended approved Noise management plan, at all times.

Reason: To comply with Policy D3 of the North Herts Local Plan.

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  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 22 January 2026	