

**WELWYN HATFIELD BOROUGH COUNCIL – DEVELOPMENT MANAGEMENT**  
**DELEGATED REPORT**

**APPLICATION No: S6/2014/0021/OR**

**SITE ADDRESS: The Bank, 31 Salisbury Square, Hatfield**

**DESCRIPTION OF DEVELOPMENT: Prior approval for the change of use of ground, first and second floor office building (Use Class B1) to 6 x 2 bedroom flats (Use Class C3 residential)**

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**RECOMMENDATION: PRIOR APPROVAL NOT REQUIRED**

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**1. SITE AND APPLICATION DESCRIPTION:**

The application site is located to the west side of Salisbury Square and accommodates a three storey terrace building with an enclosed parking court to the rear. Salisbury Square to the front of the site is a pedestrianised area characterised by public open space mostly laid to lawn surrounded by a mix of uses including retail, office and restaurants/takeaways.

This application seeks prior approval for the change of use of the ground, first and second floor office building (Use Class B1) to 6 x 2 bedroom flats (Use Class C3 residential).

**2. SITE DESIGNATION:**

The site lies within the town of Hatfield and within Old Hatfield Conservation Area as designated in the Welwyn Hatfield District Plan 2005.

**3. RELEVANT PLANNING HISTORY:**

S6/2001/0042/FP – Alterations to rear elevation and construction of boundary wall to maximum height of 2.4m

A(G) 06/07/2001

S6/1997/0677/FP – Change of use of ground floor from Class A2 to B1 office

A(G) 26/09/1997

S6/1975/0409/FP – Rear extension to bank and offices

A(G) 29/08/1975

**4. CONSULTATIONS:**

No objections have been received in principle from Hertfordshire County Council, Transport Programs and Strategy; Welwyn Hatfield Borough's Environmental Health team and Welwyn Hatfield Borough Council Private Sector Housing Team

**5. NEIGHBOUR REPRESENTATIONS:**

None

## 6. MAIN PLANNING ISSUES:

### 1. Whether the proposal is permitted development in accordance with Part 3 of Schedule 2, Class J of the Town and Country Planning (General Permitted Development) (Amendment) Order 2013 and if so, whether prior approval is required with regard to;

- Transport and highways impacts of the development;
- Contamination risks on the site; and
- Flooding risks on the site; and

1. Part 3 of Schedule 2 Class J of the GPDO outlines that development consisting of a change of use of a building and any land within its curtilage to a use falling within Class C3 (dwellinghouse) of the schedule to the Use Classes Order from a use falling within Class B1(a) (offices) of that Schedule, is permitted subject to a prior approval process.

The site has a limited planning history although an application in 1997 was granted for change of use of ground floor from Class A2 to B1 office. The applicant, AL Marketing Communications Ltd, currently occupy the building. Therefore, on the balance of probability, it is considered reasonable to assume that the building was used for a use falling within Class B1(a) (offices) of the Schedule to the Use Classes Order immediately before 30th May 2013 or when it was last in use. The building and land can therefore benefit from this permitted development right subject to other conditions within the Order.

The site does not form part of a safety hazard area or a military explosive storage area. In addition, the building is not a listed building or a scheduled monument.

Class J development is permitted subject to the condition that before beginning the development, the development shall 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 and highways impacts of the development
- b) Contamination risks on the site; and
- c) Flooding risks on the site

and the provision of paragraph N (procedure for applications for prior approval under Part 3) shall apply in relation to any such application.

In assessing whether prior approval is required for the three criteria, regard must be had to (i) the National Planning Policy Framework (NPPF) as if the application were a planning application, (ii) any representations received, including consultees, and (iii) whether the land would be contaminated land

### Transport and Highway Impacts of the development

The Council's adopted parking standards identify a maximum parking requirement of six spaces for the proposed residential units. The submitted drawing 1000-SK-10 Revision P shows six car parking spaces to the rear of the site which are accessed via Batterdale, an unclassified road. Typically a residential development of this scale

would lead to a lower number of vehicular trips than a similar sized B1 use. There are services and facilities available within walking distance of the site which is also well located for public transport given that it is within 100m of Hartsfield Railway Station and the associated bus/taxi interchange. Drawing 1000-SK-10 also show a cycle storage area although no further details have been provided. Whilst ideally cycle provision would be provided there is no requirement for this in the GPDO. Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission. Overall it is considered that the proposed development would not impact unduly on highway safety and no objections are raised in this regard.

Contamination Risks on the site

Welwyn Hatfield Borough Council Environmental Health Team have not objected to the proposal or raised issues with regard to the possibility that that site could be contaminated and accordingly no objections are raised in this regard.

Flooding Risks on the site

The application site is not located within flood zone 2 or 3 and the area is not known to have critical drainage problems.

**7. CONCLUSION:**

The proposed development is permitted development in accordance with Part 3 of Schedule 2, Class J, of The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013 and prior approval of the transport and highways impacts of the development, contamination risks on the site and flooding risks on the site is not required from the Local Planning Authority.

**RECOMMENDATION: PRIOR APPROVAL NOT REQUIRED**

1. The proposed development is permitted development in accordance with Part 3 of Schedule 2, Class J, of The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013 and prior approval of the transport and highways impacts of the development, contamination risks on the site and flooding risks on the site is not required from the Local Planning Authority.

**APPROVED DRAWING NUMBERS**

1000-SK-10 Revision P & 1000-SK-100 Revision P & 1000-SK-101 Revision P & 1000-SK-102 Revision P received and dated 09 January 2014

**FORMATIVES:** Standard

**Signature of author..... Date.....**