

Location: **20 High Street
Baldock
Hertfordshire
SG7 6AX**

Applicant: **Mr Sabahipour**

Proposal: **Retention of change of use of first and second floors to residential sheltered housing accommodation to provide 19 en-suite rooms and one office for a temporary period of three years.**

Ref. No: 22/01498/FP

Officer: **Anne McDonald**

Date of expiry of statutory period : 30.08.2022

Reason for delay

Time taken waiting for responses from all consultees.

Reason for referral to committee

This application has been called into Planning Control Committee by Cllr Weeks on the basis of public interest and Cllr Weeks has elaborated this point by stating:

“There are almost 70 lodged objections to these applications and many more post the consultation closing date. Further, at a public meeting earlier this week there were 80 plus Baldock Residents showing their opposition to the applications. If you take this to the silent majority one will find the majority of Baldock do not want this”.

Plan numbers

Location plan; 2075/01K; 2075-03B; 2075-03E.

Supporting documents

Planning, design, access and heritage statement.

1.0 Policies

1.1 National Planning Policy Framework February 2019:

1.2 In general and with regard to:

Section 2 – Achieving sustainable development;
Section 4 – Decision-making;
Section 5 – Delivering a sufficient supply of homes;
Section 6 – Building a strong, competitive economy;
Section 11 – Making effective use of land;
Section 16 – Conserving and enhancing the historic environment

1.3 **North Hertfordshire District Local Plan 2011-2031**

SP1 - Sustainable development in North Hertfordshire;
SP2 - Settlement Hierarchy;
SP8 - Housing;
SP9 - Design and Sustainability;
SP10 - Healthy Communities;
SP13 - Historic Environment;
T2 – Parking;
HS2 - Affordable housing;
D3 - Protecting living conditions;

1.4 **Supplementary Planning Document.**

SPD – Vehicle Parking at New Developments;

2.0 **Site History**

2.1 There is an extensive planning history for this building. Of relevance to this proposal are:

20/00957/FP – Change of use from hotel and restaurant to one retail unit and 14 residential apartments – conditional permission.

20/00958/LBC – Internal and external alterations to facilitate the change of use from hotel and restaurant to one retail shop and 14 residential apartments - conditional consent.

22/00927/FP – Temporary change of use for three years of ground floor hotel restaurant to residential sheltered housing accommodation to provide 10 en-suite rooms and ancillary facilities with internal and external alterations. This application is also being presented to PCC for determination.

22/00928/LBC – Internal and external alterations to facilitate the temporary change of use of building (proposed ground floor works and retention of use at first and second floor) to residential sheltered housing accommodation to provide 29 en-suite rooms and ancillary facilities – pending.

3.0 **Representations**

3.1 **Crime Prevention Advisor** – I have done a scan of the crime figures / our records for 20 High Street and there is only one result which is not either crime or anti-social behaviour related.

3.2 I have a substantive concern regarding this proposal. The reason for this is that there is an accessway, on the southern aspect of the property that leads to another business. The ground floor rooms on this aspect all appear to have doors opening onto this accessway. This is a concern because the service users of the hostel are all vulnerable and include recovering drug addicts and this style of arrangement will let drug dealers etc. to approach the rooms without having to enter the building. To prevent this happening all these doors should be fitted with a rim lock (Yale Style lock), a five-lever mortise lock that is third party certified to BS 3621 or suitable equivalent, the door would also benefit from being fitted with hinge bolts. These locks can then be kept in the locked position and the keys kept in a secure location. Alternatively, these doors should be replaced with ones that are third party certified to PAS 24:2016, again they should be locked, and the keys kept in a secure location. In addition to these

works a suitable CCTV system should be fitted so that it covers this accessway, an 'Operation Requirement' should be written to cover this matter. It would also be advisable for the applicant to contact the Fire Service Building Inspection Department to ensure that these doors are not part of the escape route.

- 3.3 **NHDC Environmental Health Noise** – no objection subject to noise conditions and an informative.
- 3.4 **NHDC Housing Officer** – supports the proposal and sets out background in support of the proposal. Key point from this include:
1. The applicant was approached by Haven First to use the first and second floors for residential accommodation as the shelter in Hitchin is not fit for purpose. Covid 19 social distancing measures could not be achieved in the current dormitory type of accommodation.
 2. The Government also introduced policy guidelines to accommodate rough sleepers and homeless applicants in hotels to ensure people were not living on the streets or in unsuitable accommodation during the pandemic.
 3. Haven First is a registered provider and has secured planning permission to provide a homeless shelter providing rented housing and support for single homeless applicants.
 4. This application is to extend use of the ground floor accommodation for 10 ensuite rooms and ancillary facilities to meet the needs and provide support to this client group until the new purpose-built hostel can be completed.
 5. The services provided by Haven First include the provision of a "pathway" out of homelessness including support and independent living skills to prevent homelessness recurring, not just provision of emergency accommodation.
 6. The council has a statutory duty to secure accommodation for unintentionally homeless households who are in priority need and a duty to work with people to prevent and relieve homelessness.
 7. The Council has a duty to review homelessness in the district and to formulate a homelessness strategy based on the results of that review. The government's Rough Sleeping Strategy published in August 2018 further introduced the requirement that all local authorities explicitly consider how to tackle the problem of rough sleeping, producing homelessness and rough sleeping strategies by winter 2019."
 8. The provision of this accommodation would specifically help the Council to meet our stated priority of improving accommodation provision for single homeless people, especially those with complex support needs.
 9. The 2016 Stevenage and North Hertfordshire Strategic Housing Market Assessment (SHMA) update identified a need for additional accommodation for single homeless people with support needs, people in need due to alcohol misuse and people with mental health problems. The latter two groups being a primary reason for homelessness.
 10. There is a great need in the district for this type of accommodation; the SHMA indicates that the number of vulnerable people is expected to grow over the period of the emerging Local Plan. By 2031 in Stevenage and North Herts there will be approximately 360 (220 North Herts.) single homeless people with support needs, 740 (440 North Herts.) people aged 18-64 in need due to alcohol misuse and a further 470 (290) people aged 18-64 in need due to mental health problems.
 11. The pandemic revealed a large, previously hidden cohort of single people in the district who are living unstable, often chaotic lives. Many are moving in and out of informal accommodation arrangements including enduring spells of 'sofa surfing' with friends or relatives or periods of rough sleeping. The Council placed over 150 single households into temporary accommodation over 2021/22, the majority approaching from unsettled accommodation arrangements. Almost one-third were of no fixed abode, whilst 13% were sleeping rough and a further 8% were homeless on departure from prison or hospital. 10% had been living in temporary or supported accommodation, highlighting

a core of clients who have repeatedly lost placements made for them by the Council due to challenging behaviours and unmet support needs.

12. Support needs amongst this cohort are extremely high. Of the single households placed in temporary accommodation over the past year, 80% had at least one identified support need with over 60% having two or more. Poor mental health was by far the most common, with over half of households reporting this. Almost one-third had poor physical health, with a similar proportion being at risk of or having experienced some form of abuse, including domestic abuse. Alcohol and/or drug dependency was also prevalent (23% of households) whilst 18% had an offending history. Over one-third of households had a history of repeat homelessness or rough sleeping, again reflecting the instability of individuals' lives and entrenched, unmet support needs."
13. All units will be let via North Herts Council's referrals process.

3.5 **NHDC Conservation Officer** – no objection subject to conditions being imposed on the listed building application.

3.6 **Baldock Museum and Local History Society** – object to the application for the following reasons:

1. At a time when it is Government and Council policy to regenerate town centres it would be a retrograde step to remove the possibility of Baldock's last remaining hotel from re-opening. The town needs a hotel for visitors and business men, otherwise it is yet another step towards the destruction of the town centre. We have already lost all our banks, we cannot afford to allow other facilities to deteriorate or disappear.
2. Also the possibility of regenerating Baldock town centre is not helped by the deterioration in the condition of the building since it has ceased to be used as a hotel and become a lodging house. It is now the major eyesore of the High Street and the recent planting of flowers in planters at the front is a superficial attempt to disguise that condition and should not be allowed to influence any decisions, especially as there had not been any flowers there for the previous two years.
3. This was supposed to be a temporary arrangement for the duration of Covid, now we have the situation in which a wealthy absentee landlord has apparently found that it is easier and more profitable to accommodate tenants at public expense rather than run the place as a hotel. If he does not wish to re-open the property as a hotel or restaurant then he should sell it and let someone else take it on.
4. There is a very strong feeling in this town that the problems of the area are being dumped on us because we are the smallest town with the least power to prevent it. We already have several hostels and other types of accommodation for problem people around the town; we do not want them in the town centre as well. We want the town to look inviting and to be attractive to visitors. The shops, the cafes, restaurants and pubs and our own Arts & Heritage Centre need these visitors in order to keep going. We do not want tourists and shoppers to be deterred by begging or drug taking (as is, we understand, already happening around the site in question) and we do not want our own residents, especially elderly ones, feeling unsafe because of these places.
5. We hope that the Council, having spent a great deal of money on the enhancement of Baldock town centre, will see that this is a totally unsuitable use of this formerly attractive Grade II listed building.

3.7 The application has been advertised with site and press notices and neighbour notification letters. The application has generated significant public interest and 78

replies have been received. 1 in support the rest objecting. Key points raised include:

1. There is far more anti-social behaviour in the town now than there was before this use started.
2. There has been a large increase in begging in the town over the last two years.
3. Resident's ask for cash back on electronic equipment in local shops.
4. There is a constant flow of police and ambulances attending this building which makes the town centre feel unsafe.
5. The town centre is an affluent area for business and coffee shops that will be affected by these plans.
6. The building is looking shabby and is visual pollution.
7. The lack of upkeep and maintained of this building, given it is listed, is criminal.
8. Since Templars has accommodate homeless people there has been a change in the town. Individuals and groups are now hanging around in the town all day long, sitting on benches or on the steps of Templars which is not good for nearby cafes.
9. People sit and drink on the public benches.
10. We have witnessed drug taking and dealing, drinking alcohol, smoking, swearing and urinating in the alleyways from the groups of people who sit on the benches outside the building. We do not want this in the town for another three years.
11. We fear there will be increased crime in the town.
12. There is a lowering of the feeling of the town centre in the evenings and at weekends.
13. The owner is not considerate of the appearance of the building or the impact on the town.
14. This is not the correct location for this facility.
15. To locate a hostel in Baldock is not beneficial to those it is supposed to serve as Baldock offers almost nothing in terms of supportive local voluntary or public sector support.
16. Placing homeless people into a building, people who are very likely suffering from significant psychological issues and substance abuse problems, without a local supportive context in many cases is likely to amplify their problems and is bordering on being, if not actually being, irresponsible.
17. These people need to be looked after in a kind and caring way.
18. It is wishful thinking to think this will be a temporary use.
19. The Council has a duty of care for the homeless and whilst solutions like this must be seen as a godsend it should not be at the cost of the residents who live here and whose environment has changed for the worse.
20. Who will live here? Will they be checked? Are they criminals or sex offenders or drug dealers or users?
21. To put the stain of this building on the local police who are already over stretched is in tolerable.
22. We are the neighbouring business and we object we our use generates noise and disturbance that is in conflict with a residential use.
23. There is rubbish being left in the passageway and thrown out of the windows into our premises and we have to report this to the management company.
24. There are already two other shelters in the town and Baldock is being over whelmed by such residents.
25. We are disturbed by screaming and vile language from the residents and residential look in our windows and have attempted to intercept our mail and one residential used our address fraudulently to set up a mobile phone contract, and we were contacted by the bailiffs stating they would be attending our address. We have had the Police in our garden in the middle of the night looking for someone and there is often a strong smell of cannabis in our house and garden, outside our front door and glass and alcohol bottles are left outside our house.
26. The management company are not in interested when we report these concerns to us.
27. This should be converted into housing for young families.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 Templars is a detached, two storey building located on the west side of the High Street which has a range of accommodation extending rearward and an open side access passageway leading to a courtyard area at the rear. It is located fairly centrally within the High Street, with a wide pavement area in front of the building. The building is a Grade II listed building and is located within the Baldock Conservation Area.

4.2 **Proposal**

4.2.1 This is a full application of the retention of the change of use of the first and second floor of the hotel to 19 rooms being used as sheltered accommodation and the continuation of the use for a further temporary period of three years.

4.2.2 Submitted in support of the application is a Planning, design, access and heritage statement. Key points from this include:

1. The permission is sought on a temporary planning permission for three years.
2. The accommodation is sought due to the significant cost and time delays of a purpose built site in the local area, to be operated by the same sheltered housing provider of Haven.
3. Access to the rooms would be via the main front entrance as existing. Refuse and recycling would be provided in the current general store at the rear of the side courtyard of the site
4. To facilitate the conversion works, internal alterations are required to the listed building, which are very similar to the extant approved scheme for conversion to 14 residential apartments. In this case, the only external alterations required is the insertion of side and rear elevation windows which are consented and conditioned for details under the extant planning permission.
5. It is considered the residents would not be at all reliant upon the private vehicles to access everyday needs, with the site being in a highly sustainable location and a short walk to the plentiful local facilities and amenities.
6. Being for sheltered housing means the occupiers are unlikely to own private vehicles and will instead have easy access to facilities in this town centre location.
7. The NPPF encourages planning authorities to protect community facilities such as pubs. This broad policy intention is reflected in Policy ETC 7 of the Local Plan, where there are no similar uses within an 800m walking distance. In this case there are many other similar facilities available within this radius, all within the town, of mainly pubs and restaurants. Accordingly, there is no conflict with this policy.
8. The proposal would provide a high standard of residential amenity and living conditions for its occupiers. All proposed rooms would be single occupancy, with en-suite facility to each. Ample circulation space would be provided throughout, with communal lounge and kitchen areas. A high standard of natural light and outlook would be provided to all rooms and the communal areas of the ground floor layout. Amenity space will be use of the existing courtyard area, located to the side of the building.
9. With regard to any impact of the development upon the living conditions of neighbouring occupiers, there would be no adverse impact compared to the current use as hotel restaurant. As such, no harm would be caused to the living conditions of any properties in terms of loss of light, outlook, privacy or dominance.
10. In regard to the external design and appearance, minor external alterations are required to facilitate the conversion works to provide the accommodation. These are

the same as the previous planning permission for conversion to self-contained residential apartments.

11. It is considered that the sensitive internal conversion of this building to ground floor, together with minor external alterations and repairing existing facades, is entirely acceptable and would cause no harm to the significance or setting of the host listed building, any nearby listed buildings, nor the character and appearance of the Baldock Conservation Area.
12. In regard to parking provision, the occupiers would not own a private vehicle, being for sheltered housing accommodation only. Moreover, the extant planning permission accepted zero parking on site due to the highly sustainable town centre location with ease of access to the train station.
13. A secure cycle store would be located to the side courtyard. This would provide at least 14 cycle spaces.
14. Occupiers would store waste and recycling in the proposed refuse store located at the end of the side courtyard area. The current hotel and restaurant use has an external bin store located adjacent this rear store building proposed to be used. The current open air store would therefore be removed and would enhance the appearance of the courtyard. This is also required to allow access to the flats here.

4.2.3 Additional information has been sought from the agent with the following questions and answers provided:

1. What is the management at the building for the residents. Is there staff there 24/7? What sort of supervision is there?

Dedicated staff team provided by Haven First & supported by OneYMCA and yes there is 24/7 staff present.

2. Can the residents be in the building all day long or is it closed for certain times of the day?

Yes all day.

3. Are any facilities for residents provided in the building such a counselling or any other care?

Yes support & counselling.

4. How long do people tend to live in the building for once there? A few nights or is it semi-permanent accommodation?

Temporary accommodation but can be as long as 18 months.

4.3 **Key Issues**

4.3.1 The main issues to be addressed in the determination of this planning application are:

1. The principle of development.
2. Living conditions.
3. Anti-social behaviour concerns.
4. Police comments.
5. Heritage.
6. Consideration of both applications
7. Other considerations

The Principle of the development

- 4.3.2 Policy SP8(g) of the Local Plan sets out that over the plan period provision will be made for at least 350 bed spaces in suitable, supported accommodation to meet the needs of those who cannot live in their own home. This proposal is in support of this Local Plan aspiration and no objection is raised to the principle of this application on this basis.
- 4.3.3 With regards to the loss of the pub / restaurant use, there no objection to this for two reasons. These are:
1. Policy ETC7 seeks to protect local community shops and services in towns and villages. However, protection is only given to the loss of a facility if there are no other such facilities within an 800m walking distance. Within Baldock there are other existing pub and resultant uses so this policy protection does not engage.
 2. There is an extant permission to change the use of the building into self-contained flats. Given that this also results in the loss of the pub and restaurant use, and that this proposal could still be implemented, this outweighs any concerns over the loss of the pub/ restaurant use as its loss was supported when permission was granted to change the building into flats.
- 4.3.4 Therefore there is no objection to the principle of this proposal.

Living Conditions

- 4.3.5 In terms of the frequency of activity in and around the site, the volume of visitors, residents, staff and deliveries coming and going from the building, it can be concluded that this would be broadly similar to the comings and goings if the pub and restaurant were in full use and no objection is raised to the application on this on basis. This is a High Street location, where there are pedestrians up and down the road and therefore the extra people movements to and from the building is not out of context with either the former use of the building or the High Street in general.
- 4.3.6 In terms of living conditions, the building provides for a good standing of accommodation and amenity for residents, with individual en-suite rooms, communal kitchen and lounge facilities, on site support and counselling and 24/7 staff support and supervision. There is also an outdoor courtyard for amenity space purposes.
- 4.3.7 With regards to internal noise transmission, the Environmental Health officer has recommended noise conditions to protect noise levels inside the building. Given this is a listed building and a temporary use, I do not consider it appropriate to recommend these conditions which may require for fixtures and fittings to be added to the fabric of the building. It is not clear if the works are necessary or that they could be fitted to the building. As a result, these conditions are considered to fail to comply with the tests of Circular 11/95 which requires for planning conditions to be necessary, relevant to planning, relevant to the development, enforceable and reasonable in all other respects so these conditions are not recommended.
- 4.3.8 Given the previous use of the site and that this is a town centre location where there is a degree of activity and noise in the daytime and evening, it is not considered that this use, which is in a 24/7 supervised building, would generate adverse noise and disturbance over and above the activity level already in the locality. As a result, the use is not considered to represent harm to the amenity of the neighbouring occupiers.

Anti-Social Behaviour Concerns

- 4.3.9 The National Planning Policy Framework (NPPF) (July 2021) and the National Planning Practice Guidance (NPPG) (November 2019) together set out the Government's position on planning for safe communities through design considerations.
- 4.3.10 Paragraph 92 of the NPPF states that planning policies and [development management] decisions should aim to achieve 'safe and inclusive places' which, inter alia, should ensure that places: 'are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of attractive, well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas;'
- 4.3.11 Local Plan Policy D1 'Sustainable Design' includes a requirement to 'design out crime and anti-social behaviour'.
- 4.3.12 This planning application is for the change of use of the ground floor of an existing building alongside application 22/01498/FP for the retention of 19 rooms on the first and second floors for a temporary period of three years. It does not and cannot include proposals for off-site infrastructure changes to alter the built environment outside the site. Furthermore, Members must also note that the current authorised pub and restaurant use is not restricted in terms of hours of operation and that this use could have spill over noise and activity impacts that would have an impact on the immediate vicinity around the site.
- 4.3.13 The policy guidance referenced above is more applicable to wider development schemes that include new road layouts and pedestrian facilities and spaces with the aim to ensure such developments create spaces that are safe for all members of the community as far as is possible through design and new development. This application only relates to the change of use of a building so on this basis the policy guidance is not wholly applicable. Nonetheless, the principles set out in the policy guidance include reference to anti-social behaviour and designing out crime which, in my opinion, is therefore a material consideration in the determination of this planning application insofar as it relates to design and physical alterations to the building.
- 4.3.14 On this basis, consideration needs to be given to whether concerns about anti-social behaviour apply to a change of use planning application? The planning system regulates land use, not land users and therefore does not have the ability to regulate all aspects of an applicant's operation. In this context the change of use is from a hotel / pub / restaurant to a non-specific Sui Generis use for residential accommodation with support. Any change of use planning permission runs with the land, would not be personal to the current / proposed operator of the facility and moreover would not discriminate between the profile of residents who may need care and support at this facility. On this basis in my view it would be very difficult to sustain an argument against the grant of planning permission based on an objection to the use of the building without personalising the refusal to the current operator rather than the maintaining an objective view of the planning use that is presented within the application. Such an argument would not be successful on appeal in my opinion.
- 4.3.15 Furthermore as set out above, there are no objections to the physical change of use of the building and several local residents have expressed concern that the building has not been recently maintained. Therefore, having a use in the building will result in welcome investment back into the maintenance of the building. The objections raised are to the presence of individuals and groups of residents sitting on the public benches in the street, and to some of the behaviour undertaken by these people which has been witnessed by passing members of the public.

4.3.16 I understand local perception is that if the building were not being used for this use then individuals and groups of residents would not be sitting in the street undertaking this sort of behaviour. However, as set out above, planning regulates land use, and whether there are any physical building works that can be undertaken to 'design out crime', thus planning is not the management of the users of the land use. An appeal decision (APP/Z1775/W/16/3159492) for a site in Southsea where the change of use of hotel to a multiple occupation 25 bedroom house (HMO) was allowed considers the planning response to uses that may cause anti-social behaviour. This states:

"I note the concerns of the Council and some local residents that the proposed use would result in a local concentration of anti-social behaviour. I have also noted the evidence before me of incidents of anti-social behaviour and disturbance at the appeal site and the concern of neighbours that the appeal site has been a source of noise, disturbance and anti-social behaviour in the past and has resulted in a fear of crime in the locality. However, such matters are influenced by considerations such as the management of the HMO and the behaviour of the occupants. Such matters are not controlled under the planning regime. They are controlled by other legislation and I am making a decision on the planning merits of the appeal alone. The proposed development could, in principle, therefore, contribute towards promoting safe and accessible environments where crime and disorder, and the fear of crime do not undermine the quality of life or cohesion as set out in paragraph 69 of the Framework".

4.3.17 Whilst some of the behaviour reported as objections to the application (such as groups of people sitting drinking, smoking and swearing on the public benches outside the building) is behaviour that people passing by would prefer not to see this is not anti-social behaviour that is law breaking nor is limited only to those who occupy this building. Whilst other behaviour, such a drug dealing and taking are matters that should be report to the Police and the Haven operator, in my view this is not behaviour that can or should be controlled via the land use proposal of the planning application as these matters are controlled by other legislation.

4.3.18 The consideration of anti-social behaviour does not extend to the principle of the change of use in this location as the above referenced appeal decision makes clear, these matters are controlled by other agencies. As a result, in my view, no objection can be raised to the application on the basis of anti-social behaviour.

Police comments

4.3.19 As set out above, the Police response is not objecting to the change of use but is requiring changes to the building to design out potential crime for the future occupiers. With regards to this application the CCTV surveillance of the side passageway is applicable and a condition is recommended on this basis.

Heritage

4.3.20 The building is a Grade II listed building and the proposed internal and external alterations required to allow this change of use are considered to be minor alterations that do not harm the fabric of the building and are very similar to the works approved to allow the conversion of the building into flats. The associated Listed Building application has not been called into PCC for determination and will be determined under delegated powers following the determination of this case. There will be conditions imposed on the listed building consent regarding the works to the fabric of the building.

4.3.21 Due to the change of use of the building not having a material impact on the external appearance of the building, this change of use is not considered to have harm on the character or context of the Conservation Area or any undue harm on the setting of any nearby neighbouring listed buildings.

Consideration of both applications

4.3.22 This application is seeking the retention of the change of use of the first and second floors with 19 en-suite rooms, whilst application 22/00927/FP is for the change of use of the ground floor of the building to 10 en-suite self-contained rooms (also on this agenda for determination) and for these rooms to be used for a temporary period of three years. Given this is one building and operator the two applications need to be assessed together as one proposal for 29 en-suite rooms in my view.

4.3.23 Whilst I am sympathetic to local concern, bearing in mind this is a temporary use for three years whilst the permanent facility is being built, taking into account that anti-social behaviour is a matter for the Police and building operator and bearing in mind that the Council has a legal duty to provide accommodation for the those in need and the Local Plan has a policy objective to deliver such accommodation, I can see no reason to refuse this application that could be supported and substantiated in an appeal situation.

Other Matters

4.3.24 There is no off street parking for this building, and no objection is raised to this. This is due to historically the building has not provided parking for its use, there is public parking along the High Street and the occupiers of the building will not have cars. Staff may do, but the public parking availability is sufficient to meet this need. The building also has good access to public transport links which staff may also utilise.

4.3.25 A benefit of this use being in this location is that there are shops and facilities within immediate proximity of the building for occupiers to use as this is highly sustainable location.

4.4 Conclusion

4.4.1 No objection. Grant conditional permission.

4.5 Alternative Options

4.5.1 None applicable

4.6 Pre-Commencement Conditions

4.6.1 The agent has agreed the pre-commencement conditions regarding the CCTV.

5.0 Legal Implications

5.1 In making decisions on applications submitted under the Town and Country Planning legislation, the Council is required to have regard to the provisions of the development plan and to any other material considerations. The decision must be in accordance with the plan unless the material considerations indicate otherwise. Where the decision is to refuse or restrictive conditions are attached, the applicant has a right of appeal against the decision.

6.0 **Recommendation**

6.1 That planning permission be **GRANTED** subject to the following conditions:

1. The continued use of the first and second floors hereby permitted is for a temporary period only and must cease and fully vacate the building on or before the 31/12/25.

Reason: There is a permanent facility to be opened and this site will no longer be required.

2. Within three calendar months of the date of this decision or prior to the implementation of application 22/00927/FP, whichever is the soonest, full details of a CCTV system monitoring the side passageway is to be submitted to and approved in writing by the Local Planning Authority and the approved details are to be implemented on site within one month of the date of the approval of the CCTV system or before the first use of the use permitted by application 22/00927/FP is implemented on site, whichever is the soonest.

Reason: To design out the potential for crime.

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.