

ITEM NUMBER: 5e

22/02417/LBC	Internal fit out to ground floor including new stud partition wall in kitchen. New bannister rail for basement staircase. Existing staircase to first floor enclosed with stud partition. Internal stud walls in front of existing for new finishes to cafe area.	
Site Address:	97 High Street Hemel Hempstead Hertfordshire HP1 3AH	
Applicant/Agent:	Mrs Claire Hobson	Mr Mark Biddiss
Case Officer:	Sally Robbins	
Parish/Ward:		Hemel Hempstead Town
Referral to Committee:	Applicant is a DBC Councillor.	

1. RECOMMENDATION

That listed building consent be **GRANTED**

2. SUMMARY

2.1 The proposed internal alterations will not harm the special character, appearance or historic interest of this Grade II listed building so would have a neutral impact on the heritage asset. The proposal therefore complies with Core Strategy Policy CS27, Saved Policy 119 of the Local Plan and Section 16 of the NPPF.

3. SITE DESCRIPTION

3.1 The application site comprises a Grade II listed building and is located on the east side of the High Street in Hemel Hempstead old town, within the Conservation Area. The site comprises a retail unit at ground floor level with residential units above. The surrounding area contains a mix of uses, including residential, retail, cafes/restaurants and drinking establishments.

4. PROPOSAL

4.1 The application seeks listed building consent for the internal alterations to facilitate the change of use of the retail unit to café serving alcohol, which was recently granted planning permission (ref. 22/01442/FUL). The alterations comprise:

- Internal fit out to ground floor including new stud partition wall in kitchen
- New bannister rail for basement staircase
- Existing staircase to first floor enclosed with stud partition
- Internal stud walls in front of existing for new finishes to cafe area.

4.2 The proposed scheme has been amended during the course of the application following discussions between the applicant and the Council's Conservation Officer. As a result, the application description has also been amended to better reflect those changes.

5. PLANNING HISTORY

Planning Applications (If Any):

22/01442/FUL - Change of use of ground floor (with basement) from Class E(a) retail, to Sui Generis, café serving alcohol
GRANTED - 27th June 2022

22/01443/ADV - Facsia and hanging board signs

GRANTED - 24th June 2022

22/01856/LBC - Advertising Board and hanging sign.
GRANTED - 15th July 2022

4/02214/08/FUL - Change of use of ground floor and basement from retail (a1) to employment agency (a2)
GRANTED - 22nd December 2008

4/01110/03/FUL - Change of use on ground and basement from retail to residential
GRANTED - 3rd July 2003

4/01152/98/FUL - Change of use on ground floor and cellar from retail and storage to residential
GRANTED - 4th September 1998

6. CONSTRAINTS

Area of Archaeological Significance: 36
CIL Zone: CIL3
Hemel Hempstead Conservation Area
Listed Building, Grade: II,
Parish: Hemel Hempstead Non-Parish
Residential Character Area: HCA14
Smoke Control Order
Parking Standards: New Zone 3

Town: Hemel Hempstead

7. REPRESENTATIONS

Consultation responses

7.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

8. PLANNING POLICIES

Main Documents/Policies:

Planning (Listed Building and Conservation Areas) Act (1990) – Section 16(2) and 66(1)
National Planning Policy Framework (NPPF) (2021) – Section 16
Dacorum Borough Core Strategy (2013) – Policy CS27
Dacorum Borough Local Plan (2004) – Saved Policy 119

9. CONSIDERATIONS

Main Issues

9.1 The main issues to consider are:

- Impact on Significance of Heritage Asset

Impact on Significance of Heritage Asset

9.2 Saved Policy 119 of the Dacorum Borough Local Plan states that consent to alter a listed building will only be granted where it can be satisfactorily demonstrated that the proposed works would be carried out in a manner appropriate to the scale, proportion and external and internal appearance of the building. The NPPF seeks to ensure that heritage assets are preserved and enhanced.

9.3 Regard is also given to the statutory tests of preserving listed buildings and their setting under Section 66 of The Planning (Listed Building and Conservation Areas) Act 1990, which it is accepted is a higher duty.

9.4 The proposal comprises internal alterations in order to enable the ground floor to be used as a café. There would be a seating area at the front of the building and a small kitchen area to the rear. New stud partition walls would be constructed to separate off different areas and the walls would be dry-lined.

9.5 The Council's Conservation and Design Officer has been consulted and raises no objection, following amendments to the scheme, including retaining the original staircases. Please refer to the Council's Conservation and Design Officer's comments in Appendix A for more detail in this regard. Overall, there would be no harm to the listed building, thus the balancing exercise set out in Paragraph 202 of the NPPF does not need to be undertaken.

10. CONCLUSION

10.1 Overall, the proposal will not detract from the character, appearance or design of the listed building. The proposal meets the requirements of Saved Policy 119 of the Dacorum Borough Local Plan, Policy CS27 of the Dacorum Borough Core Strategy, the NPPF and Section 66 of The Planning (Listed Building and Conservation Areas) Act 1990.

11. RECOMMENDATION

11.1 That listed building consent be **GRANTED**.

Condition(s) and Reason(s):

1. **The works hereby permitted shall begin before the expiration of three years from the date of this consent.**

Reason: To comply with Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990, as amended by Section 51 (4) of the Planning and Compulsory Purchase Act 2004.

2. **The development hereby permitted shall be carried out in accordance with the following approved plans/documents:**

**LOCATION PLAN
2022 REV A - PLANS AND ELEVATIONS**

Reason: For the avoidance of doubt and in the interests of proper planning.

Informatives:

1. Listed building consent has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Conservation & Design (DBC)	<p>97 High Street is an elegant 19th century three storey building on the east side of the High Street at the northern end. It has a mid to late 19th century shop front with a canted bay sash window above. It is located in a long line of listed buildings on east side of the High Street and is listed for group value. It is within the Hemel Hempstead Old Town Conservation Area.</p> <p>The current proposal seeks to make alterations following consent for a change of use to a café (22/01442/FUL). Amended plans propose some minor alterations to the staircase areas. It is also proposed to sound proof the ceiling (there is living accommodation above) and dry line the walls of the main front room.</p> <p>Staircase areas</p> <p>Following a site visit (24.08.22) it is clear that the staircase to the first floor is original although the banisters have been removed and the stairs boxed in modern stud walling likely from the 1960s/70s. The stairs should be preserved for their evidence of the planform as well as for the future, were the first floor ever to be reintegrating back into the ground floor. The plans have been amended and the existing modern stud walling will be partially removed and the stairs boxed in half way up.</p> <p>The original door at the bottom of the staircase will be removed but should be stored for possible future use, the door frame should be preserved in situ.</p> <p>The architectural interest of the basement stairs was less clear on the site visit. Amended plans now show that the stairs will remain untouched and a new handrail installed. For safety reasons the existing modern floor in the area at the top of the stairs will be reduced to sit flush.</p> <p>Sound insulation and dry lining</p>

	<p>It is proposed to sound insulate the ceiling of the shop which is currently modern hardboard. This will be 10cm in depth and kept away from the shop front. There will be a wall mounted air conditioning unit within the room.</p> <p>It is proposed to dry line the walls with hard board. This will not be directly against the existing walls which are a combination of lathe and plaster and modern hardboard but 25mm distant and there will be four vents on each wall to allow for the circulation of air which is acceptable.</p> <p>Recommendation: No objection</p>
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APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
0	0	0	0	0

Neighbour Responses

Address	Comments