

DELEGATED FILE NOTE

CASE OFFICER: ...Melissa Tyler.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
24/01900/FP	Installation air conditioning condenser units, extractor grilles and fixed outside seating.	Unit 6 Royston Gateway Trade Park Darlington Road Royston Hertfordshire SG8 5PF

Submitted Plan Nos

S6623/16 S6623/17 AA S6623/18 BB Rev B S662/19 CC S6623/20 DD S6623/21 EE S6623/22 FF
113423.3-P3.1 Rev A Outdoor Seating Area

D1	Sustainable design
D3	Protecting living conditions
ETC1	Appropriate uses in Employment Areas
SECN12	Achieving well-designed places
SECN6	Building strong, competitive economy

2.0 **Relevant Site History**

- 2.1 24/01174/FP Change of use of 205 sqm (unit 6) for a flexible use to include Class E (a/b), B2 and B8 with ancillary trade counter. Conditional Permission
- 2.2 24/01173/NMA Change the list of approved plans/documents in Condition 2 to reflect minor changes to include an additional door to the rear of unit 6 and reposition the dividing wall between units 6 and 7(as non-material amendment to section 73 agreement reference 22/00863/S73 granted on 20.06.2022) – Approved
- 2.3 23/02292/NMA - Change the list of approved plans/documents to reflect minor changes to the cladding and adjustments to the parking layout (as non-material amendment to Section 73 agreement reference 22/00863/S73 granted on 20.06.2022) – Approved 11/10/23.
- 2.4 22/00863/S73 - Variation of Condition 2 of planning permission 18/02892/FP granted on 19.08.2019 - to increase the eaves/ridge height of the units and remove the glass canopy on the front elevations as shown on plans 113-423-P-3.3 Rev E, 113-423-P-3.5 Rev B, 113-423-P-3.6 Rev B, 113-423-P3.7 Rev B – Approved 20/06/22.
- 2.5 18/02892/FP Erection of B1c, B2 and B8 units with ancillary Trade counter and associated car parking, service yards and access road. Conditional Permission
- 2.6 14/01809/1 - Erection of industrial warehouse building for the purposes within Use Class B8 (Storage or Distribution) with offices and ancillary facilities, service yard and 60 car parking spaces; erection of foodstore together with associated car parking (200 spaces); provision of new road on junction of A505 and new link road to Orchard Road Industrial Estate (as amended by plans received 5.11.14 and 27.11.14) – Approved 25/02/15.

3.0 **Representations**

3.1 **Royston Town Council – No objection**

3.2 **Herts Highways** - Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

3.3 **North Herts Environmental Health** – Further to the recent email and clarification on the extract system, given the location and proposals, I have no objections to the application.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The application site is located between a dual carriageway (A505) to the north, and adjacent to new internal access roads and a roundabout. The site is on the edge of an industrial/employment area where nearby uses are a mix of E, B2, B1, B8 and *sui generis*. The host property has a flexible use to include Class E (a/b), B2 and B8 with ancillary trade counter.

4.2 **Proposal**

4.2.1 Planning permission is sought for the Installation air conditioning condenser units, extractor grilles and fixed outside seating.

4.3 **Key Issues**

4.3.1 The key material considerations are design, and impacts on neighbour amenity.

Design

4.3.2 The proposed condenser unit and extractor grilles would only affect the rear of the site due to its siting and small size. It would be a minor addition to the building, as plant for the restaurant use would be appropriately sited at the rear, would be considered to have an acceptable visual relationship with the rear openings and elevation of the building, would be similar or smaller than other plant units nearby, and would overall have small and acceptable impacts on the character and appearance of the site and locality.

4.3.3 The proposed seating area to the front is typical with this use and occupier. The seating area is small and runs along the front elevation. The proposals are considered acceptable. The proposal complies with Policies D1 and D3 of the Local Plan, and Section 12 of the NPPF.

Neighbour amenity

4.3.4 The application site is nearby to an industrial/employment area and is not close to any dwellings. Therefore the proposed development of the site and the characteristics of its use will not result in any loss of amenity to nearby properties. It is also not considered necessary to control the opening hours of the proposed Greggs by condition.

- 4.3.5 The extraction unit has the potential to generate noise, smells and vapours. The Council's Environmental Health Officer has not however objected, which is given significant weight in favour of the proposal. Given the expertise of the EHO, the proposal is considered acceptable regarding generation of noise, smells and vapours. The proposal complies with Policy D3 of the Local Plan.

Public highways and parking

- 4.3.6 The County Council highways authority have not objected to the proposal.

BNG

- 4.3.7 This development is considered de-minimis for BNG purposes and therefore exempt from any requirement to enhance BNG under the relevant legislation .

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

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  Sam Dicocco	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 29 October 2024	