

DELEGATED FILE NOTE

CASE OFFICER: ...Thomas Howe.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
26/01402/FP	Installation 1x packaged refrigeration unit and 3x floor mounted AC units with protection rails onto existing flat roof.	10 High Street Hitchin Hertfordshire SG5 1BH

Submitted Plan Nos

01_3289_01C 02_3289_02G 02_3289_02H 02_3289_02J 02_3289_02K 03_3289_03E 03_3289_03F

1.0 Policies

D1 Sustainable design

D3	Protecting living conditions
HE1	Designated heritage assets
T2	Parking
SP2	Settlement Hierarchy and Spatial Distrib
SECN12	Achieving well-designed places
SECN16	Conserve + enhance historic environment

2.0 **Site History**

2.1 26/01281/FP - Installation of new shopfront. – Conditional Permission

2.2 26/01280/AD - Installation of two non-illuminated box fascia signs, externally illuminated project sign, externally illuminated box fascia sign, store directory sign and vinyl sign. – Conditional Consent

3.0 **Representations**

3.1 **Neighbour Consultation** – 4x Objection:

- Concerns with regards noise generation and its impacts upon health, wellbeing and sleep.
- Other methods should be considered and explored first.
- Noise report does not consider noise measurements from within nearby units.
- No details of frequency spectrum of the noise emitted.
- Unsightly form of development.
- Loss of property value
- Seek an internal solution

- Seeks improvement of window to affected residences and any other measures that would minimise the impacts of the proposal.

3.2 **Environmental Health -**

Noise:

"Further to additional submitted information and discussions with the acoustic consultant, whilst there are some inconsistencies in the noise assessment, on balance, we have no objections to the proposed plant given it is installed in line with the submitted details.

The inconsistencies identified include the location used to measure the background noise levels for the nearest receptor. The consultant was unable to access the receptor to measure the background noise levels, but we do not believe that the location chosen was equivalent. There were also no penalties added to the calculated sound level with the proposed plant, which we would usually expect for this type of installation. However, due to the difficulties in retrieving a representative background noise level, the acoustic consultant opted to use the lowest background level, rather than the mode which is more typical. The calculated sound level is also more than 5dB below the background, and therefore, there is little concern."

3.6 **Conservation Officer – No Objection.**

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The application site comprises No. 10 High Street, Hitchin. It comprises the ground floor unit. The site is within the Hitchin Conservation Area with listed buildings in proximity, notable to the south and opposite the site.

4.2 **Proposal**

- 4.2.1 Planning Permission is sought for:

The application site comprises No. 10 High Street, Hitchin. It comprises the ground floor unit. The site is within the Hitchin Conservation Area with listed buildings in proximity, notable to the south and opposite the site.

4.3 **Key Issues**

- 4.3.1 The key issues for consideration are as follows:

- The principle of the development.
- The acceptability of the design of the proposed development and its resultant impact on the character and appearance of the area.
- The standard of amenity afforded to future occupiers.
- The impact that the proposed development would have on the living conditions of neighbouring properties.
- The impact that the proposed development would have on car parking provision in the area.

- The impact that the proposed development would have on the environment.

Principle of Development:

- 4.3.2 The site is within the town centre of Hitchin. Policy SP2 advises that 'other development' will be permitted where they are sited within the defined settlement boundary of towns and / or Category A Villages. Given that the site is within the settlement boundary, the proposed development would comply with Policy SP2.

Design and Appearance:

- 4.3.3 Policy D1 of the Local Plan states that development will be granted provided the design of the development appropriately and positively responds to the site's local context together with other criteria to encourage a positive and sustainable form of development. This policy is broadly consistent with Section 12 of the National Planning Policy Framework. Policy HE1 emphasises how permission will be refused where proposals would cause substantial harm or a loss of significance to a Heritage Asset, in this case, the Conservation Area, and permission should be refused unless it can be demonstrated that the proposal is necessary to deliver considerable public benefits to outweigh this harm or loss. Policy SP13 emphasises how great weight will be given to the potential harms to the significance of heritage assets, seeking their conservation and management of their setting. This policy is broadly consistent with Section 16 of the National Planning Policy Framework. Section 72 of the Planning (Listed Building and Conservation Areas) act 1990 emphasises that development should seek the preservation or enhancement of the Conservation Area.
- 4.3.4 The proposed development would be set on the roof of the existing building and would be partially visible from some nearby vantage points to the rear of buildings along High Street and with some distant views gained from Paynes Park. The site is within the Hitchin Conservation Area. The Conservation Officer has not objected to the development, considering the visual impacts to the Conservation Area and the setting of Listed Buildings within the area would not be unacceptable, and would not result in unacceptable harm to these heritage assets. The obscured location to the rear of the high street frontage and in relation to nearby public vantage points is considered to suitably mitigate visual impacts arising from the development to the Hitchin Conservation Area. It is noted that the railings would be close to the edge of the roof, and would therefore, be more visible than the main units, however, given their visually permeable appearance, and less than substantial height, they would not be an unacceptable addition to this already utilitarian area.
- 4.3.5 The proposed development is therefore considered to be in compliance with Policies D1 and D2 of the Local Plan and the core principles set out within Section 12 of the National Planning Policy Framework. The potential impacts to the surrounding Conservation Area are considered to be acceptable, and the significance of this heritage asset will not be unacceptably harmed. Policies HE1 and SP13 of the Local Plan 2011-2031 and Section 16 of the NPPF are considered to be complied with. The development is considered to comply with Section 72 of the Planning (Listed Building and Conservation Areas) act 1990. The design and appearance are therefore acceptable.

Impact on Neighbouring Properties:

- 4.3.6 Policy D3 of the Local Plan permits development that does not result in unacceptable harm to the amenity of neighbouring occupiers and where necessary encourages the use of mitigation measures to reduce these impacts. This is generally reflected by the provisions within the National Planning Policy Framework.
- 4.3.7 The development would not be significantly enlarging the bulk of the building and would not be providing new vantage points for occupant or visitors to overlook neighbouring dwellings and premises. The units would therefore result in no unacceptable dominance or losses of light. It is noted that representations relate to the potential for noise and vibrations, particularly at certain frequencies that could result in harms to amenity, either for sleep or when awake such as for working from home. Environmental Health have not objected to the development and have referred to and considered the submitted noise information provided by the applicant. Their consideration of this information concludes that noise generation and vibration generation would not be harmful when compared to the existing background noise level. No other information is sought. They note inconsistencies in the information, however, they do not consider that this would be detrimental and allows a sufficient conclusion to be reached whereby neighbour impacts would not be unacceptable. Therefore, impacts to the amenity of nearby residential units would not be unacceptable.
- 4.3.8 Given the above, it is considered that the proposed development would result in no unacceptable detrimental impact upon neighbouring occupiers and is therefore compliant with Policy D3 of the local plan and the aims of the National Planning Policy Framework.

Environmental Implications:

- 4.3.9 The proposed development, by virtue of its limited scale in general terms together with the sustainable location would have no significant implications for the local environment in terms of carbon emissions and therefore would be generally in compliance with Section 14 of the NPPF. The development would be exempt from delivering BNG on site, as it would meet the 'de minimis' exemption. It is not considered reasonable to seek enhancements owing to the nature of the site, as required by Policy NE4 of the Local Plan 2011-2031.

4.4 **Conclusion and Planning Balance**

- 4.4.1 The proposed development is considered acceptable and is considered to comply with the necessary provisions of the Local Plan policies and the National Planning Policy Framework. Grant conditional permission.

4.5 **Alternative Options**

- 4.5.1 None applicable.

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

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: 4 August 2026	