

PLANNING STATEMENT HITCHIN SWIMMING CENTRE

Quality Assurance

Site name:	Hitchin Swimming Centre
Client name:	Willmott Dixon Construction Limited on behalf of North Hertfordshire District Council
Type of report:	Planning Statement
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Date	March 2025
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1.0 Introduction

- 1.1 This Planning Statement has been prepared by Bidwells LLP in support of a detailed planning application for decarbonisation works at Hitchin Swimming Centre at (“the Site”).
- 1.2 Willmott Dixon Constriction Limited on behalf of North Hertfordshire District Council are the applicant for the planning application (“the Applicant”).
- 1.3 North Hertfordshire District Council (“NHDC”) is the local planning authority with sole jurisdiction over the planning application.
- 1.4 The description of development is proposed as follows:

“Decarbonisation works, including: the provision of insulated rendering to external walls, a substation, air source heat pump and associated enclosure, and the installation of photovoltaic panels on roofs. Changes to western access gate and ground re-enforcement of access.”

Background

- 1.5 Willmott Dixon Construction Limited have been instructed by North Hertfordshire District Council to undertake a programme of decarbonisation works to three leisure centres in Hertfordshire – Royston Leisure Centre, Hitchin Swimming Centre and North Herts Leisure Centre. These works reflect the Council’s commitment to reducing emissions and decarbonising their operations, with the ultimate goal of achieving a net-zero carbon emissions across their estate.

Purpose

- 1.6 The purpose of this Statement is to explain the development proposals and assess them against the Development Plan and other material considerations, including national planning policy, to demonstrate that planning permission should be granted without delay.
- 1.7 A suite of design and technical reports have been submitted in support of this planning application, in line with the Council’s local validation list. The submitted documents are outlined in the cover letter.
- 1.8 For ease, a brief summary of the findings of these reports is provided within **Section 5**.

2.0 The Site

The Site

- 2.1 The site is located to the west of Hitchin town centre, along Fishponds Road (A505). The site was constructed in 1991 and comprises an outdoor pool, two indoor pools, changing facilities, gym, café and dance studios.
- 2.2 Vehicular and pedestrian access routes are off Fishponds Road. There is a large main car park at the entrance of the Site.
- 2.3 Hitchin Swimming Centre is owned by North Herts District Council and managed by Everyone Active.
- 2.4 Figure 1 below shows an aerial view of Hitchin Swimming Centre and the surrounding area.



Figure 1: Aerial Image of the Site (Source: Google Maps)

Planning Status

- 2.5 Confirmation of planning use class status of the leisure centre was provided by Council Officers in May 2024.
- 2.6 The leisure centre was confirmed to fall under Use Class E(d) – Commercial, Business and Service (Indoor Sport, recreation or fitness (not involving a pool)).

Surrounding Context

- 2.7 The site is bound to the north by Fishponds Road with residential development lying north of the road. The eastern boundary of the site is formed of trees and vegetation, and to the east of the site lies Hitchin Boys' School playing fields and a series of sports pitches including a football pitch. Butts Close Park and Gegans House medical centre lie directly south of the site. The west of the site is bound by a public footpath and Butts Close Park.
- 2.8 The nearest bus stops are located within close proximity to the site, circa 123m away along Fishponds Road. Services from here serve the local area and provide direct links into neighbouring towns terminating at Hitchin, Bedford, Luton Interchange and Stevenage. There are additional bus stops located along Bedford Road, circa 280m from the Site which provide further services to Henlow Camp, Pirton and Westmill Estate.

Site Constraints

- 2.9 There are no Statutory Listed Buildings or Registered Parks and Gardens within or immediately adjacent to the vicinity of the site. The closest Listed Building to the site is Grade II listed Hitchin Boys Grammar School (Ref: 161486) which is located circa 200m south east of the site.
- 2.10 The outdoor swimming pool at Hitchin Swimming Centre is identified as a Building of Local Interest.
- 2.11 The site lies within Butts Close Conservation Area.
- 2.12 There are no European or nationally statutorily designated sites near the site. The site is located within the wider SSSI Impact Risk Zone for Oughtonhead Lane.

Planning History

- 2.13 We have undertaken a review of the Council's online application records. Relevant planning history for the site is shown in the below table. Less relevant planning history including advertisement consents and discharge of conditions have been omitted from the below table.

APPLICATION REFERENCE	DESCRIPTION OF THE PROPOSAL	DECISION
82/01591/1	Erection of single storey extension for new boiler house.	Approved 01 March 1983
89/00329/1DC	Indoor swimming pool and cafeteria associated with existing outdoor pool plus additional car parking	Approved 23 May 1989
94/00049/1DC	Single storey detached building to provide Health and Fitness annex.	Approved 10 March 1994
02/00471/1	Formation of additional car park (94 spaces) adjacent to indoor swimming pool with new access road from existing car park adjoining swimming pool boundary across Butts Close. Installation of column lighting (as amended by plan nos. 4B and 5B received 24.09.02)	Approved 27 Sept 2002
02/01432/1	Main entrance extension and associated works (as amended by plan nos 101A and 102B received 09 December 2002)	Approved 12 Dec 2002
08/00329/1	Extension of swimming centre reception	Approved 25 April 2008
12/02273/1	Single storey side extension to provide 3 additional dance studios. Expansion of car park facilities by increase of 4 parking spaces and introduction of pedestrian pathway, motorbike parking and increased cycle parking provision. (Amended plans received 09/11/12 and amended plans and DAS received 29/11/12).	Approved 18 Dec 2012

3.0 Proposed Development

The Proposals

- 3.1 The proposed development seeks to apply for decarbonisation works at Hitchin Swimming Centre.
- 3.2 The application specifically seeks planning permission for: PV panels on the roofs, the provision of external insulated rendering, a substation and for an Air Source Heat Pump and associated enclosure.
- 3.3 The proposed works incorporate renewable and low carbon energy technologies and will improve the energy efficiency of the Hitchin Swimming Centre, therefore helping mitigate both the causes and impacts of climate change in North Herts.
- 3.4 The proposal also includes the provision of additional landscaping and will deliver a biodiversity net gain (BNG) meeting the requirement for a 10% gain.
- 3.5 It is also proposed to increase the width of the existing gate on the western boundary, as well as ground re-enforcement to an access route in this location.
- 3.6 For completeness, it is to be noted that the proposed works as set out above form part of a wider set of decarbonisation works being undertaken at Hitchin Swimming Centre. The additional works being undertaken are set out below and have been included on the provided plans; this has been done for transparency purposes and because they feed into the wider sustainability benefits (which the submitted Energy Statement captures). However, it is emphasised that these works are not subject to consideration as part of the application on the basis that they either do not require planning permission, qualify as permitted development (no prior notification required) or are de minimis in nature.
- Internal changes (do not require planning permission)
 - Thermostatic Radiator Valves and zonal controls for heating
 - Storing the rejected heat from the Combined Heat and Power
 - Demand Control ventilation for feasible areas
 - Passive Infrared Sensor in office areas
 - Replace existing heat emitters for low temperature hot water emitters
 - Not requiring planning permission (permitted development no prior notification required)
 - An Air Source Heat Pump and associated enclosure (to the south of the building)
 - De minimis works (as confirmed with Case Officer as part of pre-application process)
 - Replace flat roof areas with new higher performing system.
 - Remove existing roof tiles / pantiles, relay a higher performing insulation, relay roof tiles
- 3.7 It is also noted that whilst the photo voltaic panels on the roof have been included as part of this planning application, these panels qualify as permitted development subject to securing prior notification. On this basis, the scope of impacts considered in relation to these works should be restricted to that which are required to be evidenced as part of the prior notification process.

4.0 Consultation and Stakeholder Engagement

Pre-Application Discussions

- 4.1 A pre-application submission was made to North Hertfordshire District Council in October 2024. This submission set out the proposed works at the site and asked for a view on whether elements were considered to fall under permitted development rights, the design and policy compliance.
- 4.2 A site visit was undertaken with the Case Officer on Wednesday 30th October.
- 4.3 A written response (LPA ref: 24/02241/PRE) was received from the Case Officer on 11th November 2024.
- 4.4 This response set out the following comments:
- Confirmed relevant Local Plan Policies and material considerations.
 - Confirmed where potential works were considered to be internal works or de minimis in nature, and therefore not requiring planning permission. Requested that this information be included as part of the planning submission for completeness.
 - Confirmed that PV provision on the roofs and Air Source Heat Pumps (subject to meeting size requirements) would qualify as permitted development subject to prior notification, but requested that they be included as part of the planning application for completeness.
 - Noted that the preferred location for one of the two proposed Air Source Heat Pump enclosures (where two location options for this ASHP were being considered) – this being behind the existing fencing in the south east corner of the gym building so not in public view along Elms Walk.
 - Requested details on colours proposed and samples of external rendering as part of application (as opposed to via planning condition).
 - Confirmed that if the red line boundary contained a vegetated area greater than 25sqm it would trigger 10% BNG.
 - Noted the requirement for an Energy Assessment.
 - Noted the requirement for a Noise Assessment related to the Air Source Heat Pump.
 - Noted that the proposed development is unlikely to have a negative impact on nearby residential dwellings given the existing distances from the host building.

5.0 Summary of Technical Assessments

- 5.1 Before an analysis of the relevant planning policies and an assessment of the proposal against the planning framework, the below section provides a short synopsis of the findings of the technical assessments that have been prepared to accompany the planning application.

Heritage Statement

- 5.2 A Heritage Statement has been prepared by Bidwells LLP in respect to this application.
- 5.3 This report considers that the proposed scheme would result in a neutral-negligible beneficial impact on the significance of Butts Close Conservation Area.
- 5.4 With regard to the Outdoor Swimming Pool, a non-designated asset, the assessment work considers that the proposed scheme would result a neutral-minor beneficial impact on the significance of the Outdoor Swimming Pool.
- 5.5 The report concludes that the proposed alterations have paid special attention to the desirability of preserving or enhancing the character or appearance of the Butts Close Conservation Area in accordance with Section 72(1) of the Planning (Listed Buildings & Conservation Areas) Act of 1990 and relevant paragraphs of the NPPF Paragraphs (200-212).

Energy Statement

- 5.6 An Energy Statement has been prepared by QODA to support this application.
- 5.7 This Energy Statement considers all the works being undertaken at Hitchin Swimming Centre in relation to the decarbonisation works, irrespective of whether they form part of the scope of this planning application. This is on the basis that the majority of changes are inter-related and collectively deliver the sustainability enhancements being achieved on site. This approach was agreed with the Case Officer as part of pre-application discussions.
- 5.8 A 'fabric first' approach has been taken, with the aim of reducing the building's energy demands through a high performing building envelope in line with the SPD targets on "optimizing passive & fabric performance". Heat, ventilation, and light will be provided efficiently through appropriate selection of products, good design practices and controls.
- 5.9 Air Source Heat Pumps and onsite photovoltaic (PV) will also be implemented as low and zero carbon technologies. Energy modelling has been carried out to determine the impact of the proposals. Results of the modelling demonstrate that 79.3% site wide carbon reduction is achieved compared to the baseline case and represents a high-performance, low-carbon development.
- 5.10 With reference to the Council's Sustainability SPD, the proposed development is considered to achieve a silver ranking against the categories 'Optimizing passive design & fabric performance' and 'Achieving low carbon energy'.

Environmental Noise Assessment

- 5.11 An Environmental Noise Assessment has been prepared by Mach Group as part of this application.
- 5.12 This report sets out the assessment work that has been undertaken at the site to assess the potential noise impacts of the proposed development, with regard to the existing noise climate established through survey work.
- 5.13 The Assessment confirms that the proposed plant and associated attenuation will have a low impact upon the nearest sensitive receptors and is therefore considered to be a Lowest Observed Adverse Effect Level.

Construction Traffic Management Plan

- 5.14 A Construction Traffic Management Plan has been prepared by Willmott Dixon Construction Limited to support this application.
- This document sets out how the contractor will seek to mitigate the impacts of the construction process, including the key contacts, security arrangements, site welfare, delivery arrangements, etc.

Ecology Assessment, Preliminary Roost Assessment and Biodiversity Net Gain

- 5.15 A Preliminary Ecological Assessment and a subsequent Preliminary Roost Assessment, as well as a BNG Assessment have been prepared by RPS in relation to proposals.
- 5.16 The PEA confirms that, as the impacts to modified grassland within the site is less than 25 m² (9 m²) and is not a priority habitat, the De Minimis exemption set out in Regulation 4 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024 applies to the proposal. Therefore, BNG is not required for the proposal.
- 5.17 The PEA confirms that no designated sites are expected to be negatively impacted by the proposal.
- 5.18 The PEA notes that the works are unlikely to affect reptiles, amphibians and mammals. Mitigation was recommended in relation to commuting/foraging bats, badgers and nesting birds.
- 5.19 The PEA identified that the site offers potential roosting habitat for bats within the buildings on site and recommended a Preliminary Bat Roost Assessment, which has been undertaken. This Assessment identified the need for emergence surveys and mitigation.
- 5.20 A proposed Landscaping Plan and subsequent BNG assessment have been prepared in relation to the proposed development.
- 5.21 The pre-development score for the site was calculated to be 0.35 habitat units.

- 5.22 The BNG subsequently confirms that the proposals will deliver a biodiversity net gain on-site which complies with legal requirements, specifically a 12% net gain in habitat units and a 10.67% gain in hedgerow units.

Tree Survey and Arboricultural Impact Assessment

- 5.23 A Tree Survey and Arboricultural Impact Assessment have been prepared by RPS.
- 5.24 To implement the proposed development, there will be a requirement to remove 1 Category C, low quality tree (T4). There will also be a requirement to partially remove the northeastern section of hedgerow H1.
- 5.25 The AIA notes that the majority of individual trees on site are to be retained and that the tree loss is minimal and deemed acceptable in order to facilitate construction. Given the small proportions of T4 at present, its removal from the site will have minimal impact to the arboricultural quality of the site and surrounding conservation area and it can be readily replaced in the short term with replacement planting.
- 5.26 It may also be necessary to lift the crowns of any trees within group G2 that overhang with proposed air source heat pump or working room required for its installation. This is anticipated to be unlikely however it should be assessed on site as and when necessary and any pruning carried out to the specification laid out in Section 6 of the AIA.
- 5.27 The proposed substation is noted to fall within the RPA of tree T2, however the AIA notes that the impact from the proposed works is considered minimal given that significant, structural roots are unlikely to be adversely impacted.

6.0 Development Plan

Introduction

- 6.1 The purpose of this section is to provide an assessment of the proposal against relevant Development Plan policies alongside other material considerations.
- 6.2 Section 70(2) of the Town and Country Planning Act (1990), as amended by section 143 of the Localism Act 2011 states that:

“In dealing with such an application the authority shall have regard to:

- a) the provisions of the development plan, so far as material to the application;*
- b) any local finance considerations, so far as material to the application; and*
- c) any other material considerations.”*

- 6.3 Section 38(6) of the Planning and Compulsory Purchase Act ('PCPA'), 2004 states that *“if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”*
- 6.4 An assessment of the proposal with respect to both the Development Plan and the other material considerations is provided below.

The Development Plan

- 6.5 The adopted Development Plan of relevance for NHDC comprises:
- North Hertfordshire Local Plan 2011 – 2031 (adopted November 2022).
- 6.6 There is no made Neighbourhood Plan that covers the site nor does the site fall inside a designated area.

Local Plan 2011 – 2031

- 6.7 The North Hertfordshire Local Plan 2011 – 2031 was adopted in November 2022.
- 6.8 The following policies are of relevance to the application:
- Policy SP1: Sustainable development in North Hertfordshire
 - Policy SP2: Settlement Hierarchy
 - Policy SP3: Employment
 - Policy SP6: Sustainable transport
 - Policy SP9: Design and Sustainability
 - Policy SP10: Healthy Communities
 - Policy HE1: Designated heritage assets
 - Policy HE3: Non-designated heritage assets
 - Policy SP11: Natural resources and sustainability
 - Policy T2: Parking

- Policy D1: Sustainable design
- Policy D3: Protecting Living Conditions
- Policy HC1: Community facilities
- Policy NE4: Biodiversity and geological sites
- Policy NE12: Renewable and low carbon energy development

Material Considerations

- 6.9 In addition to the development plan policies, there are other material considerations that should be taken into account during the application process. These include:
- National Planning Policy Framework (NPPF) – Updated December 2024
 - National Planning Policy Guidance (PPG) – March 2014 (as updated)
 - National Design Guide – January 2021
 - Climate Change Act 2008 (2050 Target Amendment) Order 2019
 - National Policy Statements EN1 and EN3 - January 2024
 - National Net Zero Strategy: Build Back Greener– October 2021 (as updated April 2022)
 - North Hertfordshire District Council Climate Emergency Declaration - May 2019
 - North Hertfordshire District Council Climate Change Strategy 2022-2027
 - North Hertfordshire District Council Plan 2024 – 2028
 - Supplementary Planning Documents

National Planning Policy Framework

- 6.10 The National Planning Policy Framework (NPPF) is a relevant material consideration under Section 70 (2) of the Town and Country Planning Act 1990 (as amended) and Section 38 (6) of the Planning and Compulsory Purchase Act 2004 (as amended). The NPPF promotes sustainable development in planning and positive growth.
- 6.11 The NPPF (2024) states that the “*purpose of the planning system is to contribute to the achievement of sustainable development*”.
- 6.12 **Paragraph 7** states “*the purpose of the planning system is to contribute to the achievement of sustainable development, including the provision of homes, commercial development, and supporting infrastructure in a sustainable manner. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.*”
- 6.13 **Paragraph 8** outlines that “*achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways.*” The three objectives are an economic objective, a social objective and an environmental objective.

- 6.14 **Paragraph 11** explains that *"plans and decisions should apply a presumption in favour of sustainable development. [plan-making text omitted in the interests of brevity]. For decision-taking this means:*
- c) approving development proposals that accord with an up-to-date development plan without delay; or*
 - d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (footnote 8), granting permission unless:*
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (footnote 7); or*
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination (footnote 9)."*
- 6.15 The NPPF has a large number of intentions and aspirations that are relevant to the proposed development, however, the paragraphs that are of most relevance are described below:
- **Paragraph 39** explains that the LPA should approach decisions in a positive and creative way. Additionally, it outlines that applicants should look to secure developments that will improve the economic, social and environmental conditions of the area.
 - **Section 8** relates to the promotion of healthy and safe communities.
 - **Paragraph 96** outlines that planning decisions should aim to achieve places that are healthy, inclusive and safe places - which promote social interaction, are safe and accessible and that enable and support healthy lifestyles.
 - **Paragraph 98a** articulates that planning decisions should plan positively for the provision and use of shared spaces, community facilities and other local facilities to enhance the sustainability of communities and residential environments.
 - **Paragraph 98d** further adds that decisions should ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community;
 - **Paragraph 103** states that access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities, and can deliver wider benefits for nature and support efforts to address climate change.
 - **Paragraph 131** affirms that *"the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this."*
 - **Paragraph 162** affirms that a proactive approach should be taken to the mitigating and adapting to climate change with planning policies supporting appropriate measures to ensure the future resilience of communities and its infrastructure.
 - **Paragraph 164b** notes that new development can help to reduce greenhouse gas emissions, such as through its location, orientation and design.

- **Paragraph 165** notes that new development can help to increase the use and supply of renewable and low carbon energy and heat.
- **Paragraph 167** states that in determining planning applications, local planning authorities should give **significant weight** to the need to support energy efficiency and low carbon heating improvements to existing buildings, both domestic and non-domestic (including through installation of heat pumps and solar panels where these do not already benefit from permitted development rights). Where the proposals would affect conservation areas, listed buildings or other relevant designated heritage assets, local planning authorities should also apply the policies set out in chapter 16 of this Framework (emphasis added).
- **Paragraph 219** states that local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.
- **Paragraph 220** notes that not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance.
- **Paragraph 187** describes that both policies and decisions should contribute to and enhance the natural environment. It is outlined that this can be undertaken in a number of ways including minimising the impacts on and providing net gains for biodiversity.

National Planning Practice Guidance

- 6.16 The National Planning Practice Guidance was initially prepared in 2014 to support the NPPF with this being an online resource. This document is regularly updated.
- 6.17 Where energy efficiency improvements require planning permission local planning authorities should ensure any advice to developers is co-ordinated to ensure consistency between energy, design and heritage matters. **(Climate Change PPG, Paragraph: 008 Reference ID: 6-008-20140306).**
- 6.18 Net gain in planning describes an approach to development that leaves the natural environment in a measurably better state than it was beforehand. Net gain is an umbrella term for both biodiversity net gain and wider environmental net gain. Biodiversity net gain is a requirement which was introduced in the Town and Country Planning Act 1990 by the Environment Act 2021. Where it applies developers must demonstrate how a development will deliver at least a 10% increase in biodiversity. It may help local authorities to meet their duty to conserve and enhance biodiversity under section 40 of the Natural Environment and Rural Communities Act 2006.” **(Natural Environment PPG, Paragraph: 020 Reference ID: 8-020-20240214).**
- 6.19 **Design PPG Paragraph: 001 Reference ID: 26-001-20191001** states that good design is set out in the National Design Guide under the following characteristics: context, identity, built form, movement, nature, public spaces, uses, homes and buildings, resources and lifespan.
- 6.20 A healthy place is one which supports and promotes healthy behaviours and environments and a reduction in health inequalities for people of all ages. It will provide the community with opportunities to improve their physical and mental health, and support community engagement and wellbeing **(Health and Wellbeing PPG, Paragraph: 003 Reference ID:53-003-20191101).**

National Design Guide

- 6.21 **Paragraph 3** notes that the “*National Planning Policy Framework makes clear that creating high quality buildings and places is fundamental to what the planning and development process should achieve. This National Design Guide, and the National Model Design Code and Guidance Notes for Design Codes illustrate how well-designed places that are beautiful, healthy, greener, enduring and successful can be achieved in practice. It forms part of the Government’s collection of planning practice guidance and should be read alongside the separate planning practice guidance on design process and tools.*”
- 6.22 “*In a well-designed place, an integrated design process brings the ten characteristics together in a mutually supporting way. They interact to create an overall character of place. Good design considers how a development proposal can make a contribution towards all of them. This applies to proposals of all sizes*” (**Paragraph 13**).
- 6.23 The 10 characteristics of a well-designed place are outlined in the below diagram (**Figure 6**), with these being discussed in detail within the guide. These characteristics are based on the objectives of Section 12 of the NPPF (Achieving well-designed places).



Figure 2: Extract from National Design Guide (Page 8)

Climate Change Act 2008 (2050 Target Amendment) Order 2019

- 6.24 In June 2019, the UK became the first major economy to legislate for a 2050 net zero Greenhouse Gases emissions target through the Climate Change Act 2008 (2050 Target Amendment) Order 2019.

National Policy Statements

- 6.25 Overarching National Planning Policy Statement for Energy EN1 and National Planning Policy Statement EN3 'Renewable Energy' were enacted in January 2024 and are material considerations. Whilst these are typically associated with Nationally Significant Infrastructure Projects, they are of relevance to small scale developments determined at the local level.
- 6.26 Overarching National Planning Policy Statement for Energy EN1 sets out the objective of ensuring that the supply of energy remains secure, reliable, affordable, and consistent with meeting the national target to cut Green House Gass emissions to net zero by 2050. In doing so it states *"Meeting these objectives necessitates a significant amount of new energy infrastructure, both large nationally significant developments and **small-scale developments determined at a local level**. This includes the infrastructure needed to convert primary sources of energy (e.g. wind) into energy carriers (e.g. electricity or hydrogen), and to store and transport primary fuels and energy carriers into and around the country. The requirement for new energy infrastructure will present opportunities for the UK and contributes towards our ambition to support jobs in the UK's clean energy industry and local supply chains". (emphasis added)*
- 6.27 National Planning Policy Statement EN3 'Renewable Energy' notably states:
- *"Electricity generation from renewable sources is an essential element of the transition to net zero and meeting our statutory targets for the sixth carbon budget (CB6)..."*
 - *"In the Net Zero Strategy, published in October 2021, government committed to action so that by 2035, all our electricity will come from low carbon sources, subject to security of supply, whilst meeting a 40-60% increase in demand."*

Net Zero Strategy: Build Back Greener

- 6.28 The Net Zero Strategy, published in October 2021, sets out a long-term plan for the economy-wide transition to net zero that will take place over the next three decades.
- 6.29 This strategy notes the role that the planning system can play in supporting efforts to combat climate change and bring greenhouse gas emissions to net zero by 2050.
- 6.30 The strategy further notes that aim to reduce direct emissions from public sector buildings by 75% by 2037 compared to 2017.

North Hertfordshire District Council Climate Emergency Declaration

- 6.31 On 21 May 2019, NHDC passed a climate emergency motion.

- 6.32 This declaration asserted the council's commitment toward climate action beyond current government targets and international agreements.

North Hertfordshire District Council Climate Change Strategy 2022-2027 (inc. Appendix A and B)

- 6.33 The Council's Climate Change Strategy was reviewed in 2022.
- 6.34 This strategy has an action plan which has three priorities: 'Taking Action', 'Enabling Carbon Savings' and 'Inspiring the Community'.
- 6.35 The key objectives outlined within the Climate Change Strategy are:
- Achieve Carbon Neutrality for the Council's own operations by 2030
 - Ensure all operations and services are resilient to the impacts of climate change
 - Achieve a Net Zero Carbon district by 2040
 - Become a district that is resilient to unavoidable impacts of climate change
- 6.36 Notably, 'Taking Action' focuses on reducing the Council's own carbon emissions on its own buildings and property through:
- *'Ensure that new system installations are renewable electricity rather than gas-fired, where this is deemed the best option after thorough consideration'*
 - *'Consider replacing gas with electricity from renewable sources where appropriate'*
 - *'Ensure no new buildings use gas-fired systems'*
 - *'Explore use of heat pumps (ground source or air source) to provide heating as the technology develops'*
 - *'Continue to identify ways to improve building energy management systems to reduce waste'*
 - *'Improve building insulation and conduct lighting surveys to reduce energy outputs'*
 - *'Explore and progress on-site generation of electricity from solar or wind'*
 - *'Explore opportunities for the sustainable heating of swimming pools'*

North Hertfordshire District Council Plan 2024 – 2028

- 6.37 The Council Plan 2024 – 2028 sets out NHDC's priorities for the coming period, one of which is supporting and delivering sustainability.
- 6.38 On sustainability, that Council states: *"We have also declared a climate emergency and an ecological emergency, and set goals to become net zero, to show we understand the seriousness of these crises, the impact on our district, and that we will do what we can to act on these issues"*
- 6.39 It is further added that *"We will work with you to achieve balanced budgets, improve environmental sustainability, and reduce carbon emissions as much as we can to work towards our net zero ambitions."*

Supplementary Planning Documents

- 6.40 The following documents form part of the general guidance and advice provided by the Council to inform proposals:
- 6.41 The following documents form part of the general guidance and advice provided by the Council:
- Sustainability Supplementary Planning Document (adopted September 2024)
 - Design Supplementary Planning Document (adopted July 2011)

7.0 Planning Assessment

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 identifies that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. Having identified and reviewed the relevant planning policy and national guidance, the main material planning considerations of the application are considered in turn, below.

Principle of Development

- 7.2 'Policy SP2' identifies Hitchin as a 'town'. Policy SP1: Sustainable development in North Hertfordshire' states that planning permissions should be granted for proposals that *'create high-quality developments that respect and improve their surroundings and provide opportunities for healthy lifestyle choices'*, as well as *'secure any necessary mitigation measures that reduce the impact of development, including on climate change'*.
- 7.3 Policy SP3: Employment' states that the Council will seek to *'support new and existing businesses'* and 'Policy HC1: Community facilities' supports the provision of new community facilities. It is also noted that relevant policies in relation to health (Policy SP10) and environment (Policy NE12 and D1) (as discussed in more detail below) are relevant in that they support improvements to existing provision.
- 7.4 The proposal includes works to the existing swimming centre, located within the settlement boundary of a main town in North Hertfordshire, which will secure environmental improvements to the building, reducing its carbon impact (discussed in more detail below). This is supported under Policies SP1, SP2, NE12 and D1. It is further noted that the proposed photovoltaic panels qualify as permitted development subject to prior notification and this establishes the general principle of photovoltaic panels on the roof as appropriate.
- 7.5 The principle of the decarbonisation works are also supported at a National level through legislation, National Policy Statements and the Net Zero Strategy. Notably the NPPF states *'in determining planning applications, local planning authorities should give **significant weight** to the need to support energy efficiency and low carbon heating improvements to existing buildings, both domestic and non-domestic (including through installation of heat pumps and solar panels where these do not already benefit from permitted development rights).'* At a Local level, proposals are supported as part of the Council's Climate Emergency declaration, Climate Change Strategy 2022-2027 and Council Plan 2024 – 2028. These documents are material planning considerations in the decision-making process.
- 7.6 Hitchin Swimming Centre also falls under an employment use (as discussed at 2.5/2.6) and has a community function - the proposed decarbonisation works will support the long-term operation of the business (e.g. through reducing operational costs for heating) in accordance with relevant policy. On a similar basis, the decarbonisation works will help to support the long-term future of this building ensuring that its community function can continue.
- 7.7 The principle of development is therefore supported across a range of Local Plan policies.

Sustainability and Climate Change

- 7.8 Whilst the principle of development is supported in planning terms (by virtue of the nature of the proposals being intended to result in sustainability improvements to Hitchin Swimming Centre), it is important to consider sustainability policies in their own right in terms of the compliance of proposals with measures.
- 7.9 As noted above 'Policy SP1: Sustainable development in North Hertfordshire' supports development that will *'secure any necessary mitigation measures that reduce the impact of development, including on climate change'*.
- 7.10 'Policy NE12: Renewable and low carbon energy development' and 'Policy SP11: Natural resources and sustainability' broadly support the provision of renewable and low carbon energy development in appropriate locations.
- 7.11 'Policy D1: Sustainable design' further seeks to ensure that development proposals *'reduce energy consumption and waste'*. Specific requirements/provisions are subsequently set out in the Sustainability SPD.
- 7.12 This proposal includes works which are specifically targeted at improving the environmental impact of Hitchin Swimming Centre. Photo voltaic panels are proposed and due consideration has been given to their location to maximise solar gains whilst minimising their visual impact, particularly on the Conservation Area. Similarly, external insulation has been located to maximise environmental benefits whilst minimising the visual impact. The Air Source Heat Pump again will secure these long-term environmental benefits, but has been located in an unobtrusive area of the site and where the least impact will be had on heritage assets.
- 7.13 As discussed in detail in Section 5, an Energy Statement will be submitted as part of this application which evidences the significant improvements that will result from all the works collectively being undertaken at Hitchin Swimming Centre and outlines how the proposals address requirements set out in the Sustainability SPD. It is noted that not all of the provisions in the Sustainability Statement are relevant to this application, by virtue of the nature and/or scale of the proposed works, and therefore not all guidance has been addressed in the submitted Energy Statement.
- 7.14 The proposal complies with Local Plan policies related to sustainability and climate change.
- 7.15 As noted previously, the principle of the decarbonisation works are supported at a National level through legislation, the NPPF, National Policy Statements and the Net Zero Strategy and at a Local level as part of the Council's Climate Emergency declaration, Climate Change Strategy 2022-2027 and Council Plan 2024 – 2028; these are material planning considerations in the decision-making process.

Heritage

- 7.15.1 'Policy SP10: Healthy Communities' and 'Policy HE1: Designated heritage assets' seek to ensure that development proposals protect and enhance heritage assets and their setting. Necessary assessment is expected to be undertaken where assets could be affected.

- 7.16 The proposal has sought to respond to the Conservation Area and locally listed swimming pool throughout the design evolution process. For example, they have informed decisions on the location of the photovoltaic panels and the proposed rendering.
- 7.17 A Heritage Impact Assessment prepared by Bidwells LLP (discussed in detail in Section 5) has assessed the potential impact of the proposed development and confirms that the proposed scheme would result a neutral-negligible beneficial impact on the significance of Butts Close Conservation Area.
- 7.18 With regard to the Outdoor Swimming Pool, a non-designated asset, the assessment work considers that the proposed scheme would result a neutral-minor beneficial impact on the significance of the Outdoor Swimming Pool.
- 7.19 The proposal complies with Local Plan policies related to heritage, as well as the provisions of both Section 72(1) of the Planning (Listed Buildings & Conservation Areas) Act of 1990 and relevant paragraphs of the NPPF (200 - 212).

Health

- 7.20 'Policy SP10: Healthy Communities' seeks to ensure that healthy, inclusive communities are maintained and created, with the policy notably adding that the Council will seek to *'protect, enhance and create new physical and green infrastructure to foster healthy lifestyles'*.
- 7.21 The decarbonisation works constitute enhancements to the existing leisure centre and these will help to support its ongoing operation e.g. reducing operational costs; this will ensure that it can continue to act as a facility which supports and improves health outcomes in line with the aspirations of this policy.
- 7.22 The proposal is supported by the provisions of Policy SP10.

Architecture and Urban Design

- 7.23 'Policy D1: Sustainable design' seeks to ensure that high-quality proposals come forward in the district. This policy notably requires that development proposals respond positively to the site's local context, create/enhance public realm, and retain and propose appropriate new planting. 'Policy SP9: Design and Sustainability' further outlines key considerations in relation to securing good design. It states that the Council will *'support new development where it is well designed and located and responds positively to its local context'*.
- 7.24 The proposed development has sought to respond to its setting; the proposed external rendering has been designed and located so as to be sympathetic to the existing building in terms of its scale, massing and appearance. The solar panels on the roof and the Air Source Heat Pump enclosure have been located to be as visually un-obtrusive as possible and limited in terms of impact on the wider heritage context. The increase in the width of the existing gate on the site's western boundary are minimal and will not result in any significant visual change.

- 7.25 The Council's views have been sought on the proposal design, with discussion had on location and material choices (colour, texture and visual appearance on elevations) as part of the pre-application process.
- 7.26 Please see the submitted Design and Access Statement for more information on the evolution of the design on this site.
- 7.27 The proposal meets relevant policy requirements in relation to design.

Amenity

- 7.28 'Policy D3: Protecting Living Conditions' seeks to ensure that the amenity of existing residents is protected from unacceptable harm resultant from development proposals, with development proposals required to mitigate their impacts where needed.
- 7.29 This planning application is supported by an Environmental Noise Assessment prepared by Mach Group. This Assessment has been produced as a result of the perceived noise implications of the proposed ASHP and confirms that the proposed development will have a low impact upon the nearest sensitive receptors and is therefore considered to be a Lowest Observed Adverse Effect Level.
- 7.30 The proposal is in compliance with Policy D3.

Ecology and Biodiversity Net Gain

- 7.31 Policy NE4 requires that planning proposals protect, enhance and manage biodiversity.
- 7.32 A Preliminary Ecological Appraisal (PEA) prepared by RPS and a Tree Survey prepared by RPS have been submitted as part of the application, in addition to a Biodiversity Net Gain (BNG) Assessment.
- 7.33 Ecology surveys have been undertaken in relation to the site, with the development confirmed not to impact on a number of species and mitigation proposed as necessary.
- 7.34 It is further confirmed that the development will meet the requirement for 10% BNG in accordance with legislative requirements and in line with Policy NE4.
- 7.35 It is noted that bat emergence surveys will need to be carried out May – September prior to development commencing with subsequent mitigation put in place as necessary, and that these undertakings are secured through legal processes separate to the planning system i.e. bat license from the Environment Agency. The proposed photovoltaic panels fall under permitted development subject to prior notification and on the basis that ecology is not a consideration as part of the prior notification process and this represents a fall back position, ecology should not be treated as within the scope of factors considered as part of this application on these works. Similarly, the proposed ASHP enclosure is unlikely to affect any identified prospective roosts.

- 7.36 Appropriate conditions can secure relevant provisions in relation to ecology to ensure compliance with policy.

8.0 Conclusion

- 8.1 This Planning Statement has been prepared in support of a full planning application for decarbonisation works at Hitchin Swimming Centre.
- 8.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) states that proposals are to be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.3 The general principle of the decarbonisation works is supported under local policy by virtue of the environmental improvements that will be delivered and the NPPF is clear that these should be given significant weight in the planning balance. The proposed solar panels also qualify as permitted development (prior notification required) further supporting the principle of this element of the works.
- 8.4 The potential heritage impacts of the proposal have been thoroughly assessed as part of the supporting Heritage Impact Assessment; this report confirms that the proposal is acceptable in heritage terms.
- 8.5 The proposed development has also addressed key considerations in relation to design, amenity and sustainability.
- 8.6 The proposal is in accordance with the adopted Local Plan.
- 8.7 It is further noted that the principle of the decarbonisation works are supported at a National level through legislation, the NPPF, National Policy Statements and the Net Zero Strategy and at a Local level as part of the Council's Climate Emergency declaration, Climate Change Strategy 2022-2027 and Council Plan 2024 – 2028; these are material planning considerations in the decision-making process.
- 8.8 The proposed development will satisfy the three elements of sustainable development: economic; social and environmental, as set out in the NPPF.
- 8.9 In view of the above, the proposal should be granted planning permission forthwith.

