

DELEGATED FILE NOTE

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

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
24/02364/FP	Installation of air conditioner unit to first floor rear elevation	Unit 1 121 - 123 Bancroft Hitchin Hertfordshire SG5 1LS

Submitted Plan Nos

PJ007497 PJ007497 PJ007497 PJ007497

D1	Sustainable design
D3	Protecting living conditions
HE1	Designated heritage assets
NE4	Biodiversity and geological sites
SECN12	Achieving well-designed places
SECN14	Meeting climate change,coastal,flooding
SECN16	Conserve + enhance historic environment

2.0 **Site History**

2.1 Various applications.

2.2 Concurrent Listed Building Application - 24/02365/LBC

3.0 **Representations**

3.1 **Neighbour Consultation** – None received.

3.2 **Environmental Health Noise** – “The application is supported by a noise assessment which concludes that the proposal will not cause a noise issue at the nearest residential and commercial receptors. I am satisfied with this conclusion and, therefore, have no objections to the proposals.”

3.3 **Conservation Officer** – “It is considered that the proposal would neither harm the listed building’s special character or harm the special character of the Hitchin Conservation Area, therefore satisfies the provisions of Sections 66(1) and 72(1) of the Planning (LB & CA) Act 1990 and will accord with Section 16 of the Framework and Policy HE1 of the

North Hertfordshire Local Plan 2011 – 2031. The proposal is therefore **UNOBJECTIONABLE** in heritage terms.”

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 Unit 1, 121-123 Bancroft comprises a Grade II Listed retail unit within the centre of Hitchin. Its list entry reads as follows:

“Late C18. Red brick, 3 storeys, old tiled roof behind parapet. 3 sash windows, outer ones on first floor 3-light, on second floor 2-light semi- circular. Modern shop windows replace Venetian windows flanking a central 8 panel door and fanlight.”

4.2 **Proposal**

- 4.2.1 The installation of an air conditioner unit to the first-floor rear elevation.

4.3 **Key Issues**

- 4.3.1 The key issues for consideration are as follows:

- The acceptability of the design of the proposed development and its resultant impact on the character and appearance of the area.
- The impact of the proposed development upon designated heritage assets.
- 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.

Design and Appearance and Impacts upon Designated Heritage Assets:

- 4.3.2 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. Policy D2 of the Local Plan requires extensions to houses and the erection or replacement of buildings to incorporate design that is sympathetic to the main building in terms of its scale, form and orientation and does not harm the character and appearance of the locality around the site. These policies are broadly consistent with Section 12 of the National Planning Policy Framework.
- 4.3.3 The proposed unit would be obscured from view from the surrounding area due to its position to the raised flat roof behind the retail unit. I do not consider that public vantage points would view the unit, and consider that harm to the character and appearance of the locality and conservation area to be modest. The utilitarian appearance of the surroundings is considered to complement the utilitarian nature of this unit. Its visual harm would not be unacceptable. The Council conservation officer has not objected to the proposed unit with regards the impacts of the development upon the Listed Building and the Hitchin Conservation Area.

- 4.3.4 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 design and appearance are therefore acceptable.

Impact on Neighbouring Properties:

- 4.3.5 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.
- 4.3.6 Environmental Health have made representation, and do not object. They cite that the submitted noise assessment suitably addresses potential noise concerns from the unit when it is in operation. No neighbour representations were received.
- 4.3.7 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.

Ecology and Biodiversity Net Gain:

- 4.3.8 The application is considered to fall under the de minimis exemption due to its limited scale, and is therefore not required to deliver the nationally required 10% of BNG. Policy NE4 is not considered to be triggered due to the limited scale of the development.

4.4 **Conclusion**

- 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: 24 January 2025	