

DELEGATED FILE NOTE

CASE OFFICER: ...Henry Thomas.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/01748/FP	Replace existing air conditioning unit with 5No. floor mounted plant units and extension to existing palisade fence and gate.	2 - 4 Commerce Way Letchworth Garden City Hertfordshire SG6 3DN

Submitted Plan Nos

PL_01 PL_02 PL_03 PL_04

1.0 Policies

D1	Sustainable design
D3	Protecting living conditions
SP1	Sustainable development in North Herts
SP9	Design and Sustainability
HE1	Designated heritage assets
SECN12	Achieving well-designed places
SECN16	Conserve + enhance historic environment
D4	Air quality

2.0 **Site History**

2.1 None relevant

3.0 **Representations**

3.1 **Environmental Health (Noise) –**

“The application is now supported by a noise assessment which concludes that, given the context, the noise from the proposed new units will have low impact. This context given is that the new units will be quieter than the existing 2 units and that it is a worst-case scenario of all units running simultaneously. It is for day-time only use.

Further to the report, given the circumstances and assumptions, I have no objections to the proposals.”

3.2 **Letchworth Garden City Heritage Foundation** – No representation received.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The site consists of units 2-4 Commerce Way which are primary shopping frontages within the Letchworth Town Centre. The site is a terraced building, with retail usage on the ground and first floor and residential accommodation on the third and fourth floor. The site is located within the Letchworth Conservation Area. The site is also subject to the Letchworth Garden City Article 4 Direction. The proposal relates to the ground floor rear of the building.

4.2 **Proposal**

4.2.1 Planning Permission is sought for the replacement of the existing air conditioning unit with 5No. floor mounted plant units and extension to existing palisade fence and gate.

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 and local Heritage Assets.
- The impact that the proposed development has on the living conditions of neighbouring properties.
- The impact that the proposed development has on the environment.

Design and Appearance:

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. This policies are broadly consistent with Section 12 of the National Planning Policy Framework.

4.3.3 The proposed air conditioning units would be sited on rear elevation at ground floor level. Due to their position, visibility of the units would be limited to the rear parking area of the building, an area with limited public access. Although the units would be in an elevated position, the units would have some screening from the existing substation and palisade fence which they propose to extend to provide further screening and protection. Given the commercial location, I do not find this proposal to be harmful to the character of the area or the Conservation Area.

4.3.4 The proposed development is therefore considered to be in compliance with Policies HE1 and D1 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 The proposed units and palisade fence would not result in any harm to neighbouring amenity due to their limited scale. The noise levels are considered to be acceptable given that no objection was received from Environmental Health Noise. Neighbour impacts are therefore considered to be acceptable. No neighbour objections were received.
- 4.3.7 Given the above, it is considered that the proposed development results in no unacceptable detrimental impact upon neighbouring occupiers and is therefore compliant with Policy D3 and D4 of the local plan and the aims of the National Planning Policy Framework.

Environmental Implications:

- 4.3.8 The proposed development, by virtue of its limited scale in general terms together with the sustainable location has no significant implications for the local environment in terms of carbon emissions and therefore is generally in compliance with Section 14 of the NPPF.

Biodiversity Net Gain:

- 4.3.9 This development is exempt from BNG Legislation defined under article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

4.4 **Conclusion**

- 4.4.1 The 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 condition 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: 16 December 2025	

