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North Hertfordshire District Council
Development and Conservation
PO Box 10613
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NG6 6DH

18th October 2024

Dear Sir/Madam,

ADDRESS: MARKS & SPENCER, 121-123 BANCROFT, HITCHIN, SG5 1LS
APPLICATION PROPOSAL: FULL PLANNING APPLICATION AND LISTED BUILDING
CONSENT FOR THE INSTALLATION OF EXTERNALLY MOUNTED PLANT TO REAR

Marks and Spencer Plc (M&S) is submitting an application for full planning and listed building consent to North Hertfordshire District Council seeking approval for the installation of externally mounted plant to the rear of Marks and Spencer, 121-123 Bancroft, Hitchin, SG5 1LS (the Site).

The application comprises the installation of 1 no. condensing unit to the rear on first floor level. The location of the proposed unit has been carefully selected to minimise impacts to the listed building and amenity of surrounding residential neighbours.

This application has been submitted via the Planning Portal (PP Ref: PP-13489683) and the requisite application fee has also been paid online.

In addition to this covering letter, the following documentation has been submitted: -

- Completed planning application forms;
- Site Location Plan (drawing no. 6813-HIT141-R-PJ007497-652);
- Block Plan (drawing no. 6813-HIT141-R-PJ007497-653);
- Existing and Proposed Elevations (drawing no. 6813-HIT141-R-PJ007497-651);
- Proposed Refrigeration Plant Layout (drawing no. 6813-HIT141-R-PJ007497-650);
- Technical Specification; and,
- Plant Noise Impact Assessment, prepared by NSL.

The Site

The application site is located to the eastern side of Bancroft, within the administrative boundary of North Hertfordshire District Council. The Site is bound to the north by the

pedestrianised Portmill Lane and to the rear by Portmill West public car park.

The M&S store is a Grade II Listed Building, dating from the late 18th Century and located within the Hitchin Conservation Area. The building has a large modern extension built in the 1970s to the rear, nearest the public car park. The listing description for the Site is as follows:

“Late 18th C. 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 fan light” (Ref TL 1850429226).

The wider area is mainly comprised of commercial uses and other national retailers on ground floor along Bancroft, with residential and office uses above. There are also a number of listed buildings within the immediate locality, including but not limited to 7 and 8 Portmill Lane and 6-8 Bancroft.

In terms of planning designations, the store lies within the Hitchin Town Centre boundary and is located on a Primary Shopping Frontage.

The Proposals

This application seeks to install one new condenser unit to the rear of the store on first floor level. Details of the proposed condenser are as follows:

Condenser – manufactured by Daikin. The unit will measure 1348 mm (L) x 612 mm (W) x 1727 mm (H). The unit will be placed on 2 no. rubber feet which will measure 41 mm (L) x 21mm (W).

Full details of the proposed plant are provided on the drawings and technical specifications accompanying this planning application. In addition, a Plant Noise Impact Assessment has been prepared by NSL and forms part of the supporting information for the application.

Planning Policy

The Development Plan for the Site is comprised of:

- North Hertfordshire Local Plan (2022)
- Hitchin Town Centre Strategy (2004)

Other relevant guidance includes supplementary planning documents (SPD) such as the Design SPD (2011).

Planning Considerations

Visual Amenity

Strategic Policy SP9 (Design and Sustainability) states that the Council considers good design to be a key aspect of sustainable development and will support new development where it is well-designed and located and responds positively to its local context.

This is supported by Policy D1 (Sustainable Design) which seeks to grant planning permission for proposals that respond positively to the site's local context and have regard to the design SPD.

The condenser unit is proposed to be located on the flat roof surface at first floor level of the store. It shall not be grouped with the other plant as it is fairly isolated from the other plant areas, which are located further to the rear of the store. However, this plant is surrounded by existing roof structures and so shall not be seen from any direction.

As a result of the surrounding roof structures, the plant shall not be viewed from any public vantage points, therefore eradicating any visual impact that the unit may have had on the surrounding area.

Furthermore, the proposed works are considered to be of reasonable scale and design when viewed against the existing building. The proposed plant will not adversely impact on the appearance of the host building or adjoining buildings, many of which are also occupied by national retailers. The proposed plant is in keeping with the functional requirements of the retail businesses and in this context, locating it within an appropriate location for plant, is considered acceptable relative to the development plan design policies.

Overall, the proposed plant is located behind existing roof structures, meaning it will not be visible from the surrounding area and is therefore considered that the proposals will not result in harm to the character and appearance of the surrounding area.

Heritage

Strategic Policy SP13 (Historic Environment) states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight will be given to that assets conservation and management of its setting.

Policy HE1 (Designated Heritage Assets) states that planning permission for development proposals affecting designated heritage assets or their setting will be granted where they enable the heritage asset to be used in a manner that secures its conservation and preserves its significance, incorporate a palette of materials that make a positive contribution to local character or distinctiveness and if less than substantial harm is identified, that this is outweighed by the public benefits of the development.

As discussed above, the importance of the listed building at 121 Bancroft lies within its front facade. Therefore, the location of the plant has been carefully considered and will be located to the rear of the building on the large modern extension erected in the 1970s. The proposals are therefore deemed to not impact any building fabric or frontage of historical significance. Notwithstanding this, to mitigate any harm to the building, the proposed unit will be located on rubber feet to minimise impacts from vibration or any fixtures beyond what is necessary.

The most important consideration is whether or not the proposed plant equipment will harm the Listed Building. The installation of plant on the flat roof of the first floor of the building is fairly minor and will be located away behind an existing wall, well away from any public vantage points. The proposed new condenser will therefore remain out of the public realm and in turn, shall not be harmful to the appearance of the Listed Building.

Overall, it is not considered that the proposals would result in harm to the character and appearance of the Grade II listed building and surrounding Conservation Area.

Residential Amenity

Local Plan Policy D3 (Protecting Living Conditions) states that planning permission will be

granted for development proposals which do not cause unacceptable harm to living conditions. Such harm may arise from traffic generation, parking, loss of daylight and sunlight, noise, overlooking, pollution (including light pollution) and dominance as well as other issues. Where harm is identified, mitigation measures can be used to mitigate any harm to an acceptable level.

Whilst there is existing plant to the rear of the store, there are residential uses located to the south of the store at the junction of Bancroft and Church Walk, as well as an office building located to the north of the site at 113 Bancroft.

Therefore, as part of the supporting material for this plant application, NSL were commissioned to carry out a Plant Noise Impact Assessment. In order to assess the potential impact of the new plant, this has been modelled against the existing situation. The results of the survey demonstrate that the noise levels associated with the new plant are considered imperceptible and would have no impact on surrounding residential neighbours.

Overall, the report concludes that the surveys objectively demonstrate that noise from the fixed plant complies with the requirements of paragraph 191 of the NPPF and would avoid any significant impacts in line with Local Plan Policy D3.

Conclusion

The proposed plant is required to support the continued use of the building. It will be located behind an existing wall and will therefore not be visible from the surrounding area. Notwithstanding this, a review of the proposed plant in the context of updated planning policy demonstrates that the proposals will not have any impact on the listed building and will comply with all relevant policies of the development plan.

Overall, it is considered that the proposed plant is compatible with the commercial use of the building in an appropriate location which will not be viewed from any public vantage point to the detriment of loss of amenity. The noise levels are considered to not have an adverse impact, and the proposed plant is considered compatible with the surrounding land uses.

I trust that you have sufficient information to determine this application and look forward to receiving confirmation that the application has been validated in a timely manner. Should you require anything further, then please do not hesitate to contact me.

Yours faithfully,

CHARLOTTE TATE

Town Planner

Marks and Spencer PLC

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