

<u>Location:</u>	Morrisons Superstore Broadway Letchworth Garden City Hertfordshire SG6 3TS
<u>Applicant:</u>	
<u>Proposal:</u>	Installation of CCTV pole cameras and installation of valeting air/vac unit following removal of no.7 parking spaces.
<u>Ref. No:</u>	26/01178/FP
<u>Officer:</u>	Henry Thomas

Date of expiry of statutory period: 09/07/2026

Extension of statutory period: 02/10/2026

Reason for Delay: Awaiting an available committee meeting.

Reason for Referral to Committee: The application has been called in by the DM Manager due to wider public interest in the site.

1.0 **Site History**

1.1 26/00853/FP - Installation of floodlights.

Concurrent Application.

1.2 25/00466/FP - Installation of EV charging zones, including the erection of sub-station enclosure, LV panel, meter cabinet and associated works.

Conditional Permission.

1.3 24/01035/FP - Installation of EV charging zones, including the erection of sub-station enclosure, LV panel, meter cabinet and associated works (amended plans received 17.06.2024).

Refused.

1.4 24/00736/FP - Installation of EV charging zones, including the erection of sub-station enclosure, LV panel, meter cabinet and associated works.

Withdrawn.

1.5 19/00227/FP - Glazed screens and sliding doors to existing open lobby and replacing existing carpark trolley corrals with enclosed trolley shelters.

Conditional Permission.

- 1.6 18/03180/FP - Installation of glazed screens in lieu of existing open metal panels to existing garden centre.

Conditional Permission.

- 1.7 18/02047/FP - Change of use of 9 parking spaces to hand car wash and valeting operation including the installation of a cabin and erection of a canopy.

Refused.

- 1.8 17/00601/1 - Retention of all equipment and signage related to the implementation of a car park management system (as amplified by drawing C-15448-002B received 27/04/2017).

Unconditional Permission.

- 1.9 06/00719/1 - Replacement of existing trolley bays with trolley shelters in supermarket car park

Conditional Permission.

2.0 Policies

2.1 North Hertfordshire District Local Plan 2011 – 2031

Spatial Strategy and Strategic Policies

Policy SP1: Sustainable Development in North Hertfordshire

Policy SP6: Sustainable transport

Policy SP9: Design and sustainability

Policy SP10: Healthy communities

Policy SP11: Natural resources and sustainability

Policy SP12: Green infrastructure, biodiversity and landscape

Development Management Policies

Policy ETC3: New retail, leisure and other main town centre uses

Policy T1: Assessment of transport matters

Policy T2: Parking

Policy D1: Sustainable design

Policy D3: Protecting living conditions

Policy D4: Air quality

2.2 Supplementary Planning Documents

Design SPD

Sustainability SPD

2.3 National Planning Policy Framework (2026)

Section 4: Achieving sustainable development

- Policy S3: Presumption in favour of sustainable development
- Policy S4: Principle of Development within Settlements

Section 5: Meeting the challenge of climate change

- Policy CC2: Mitigation of climate change

Section 8: Ensuring the vitality of town centres

- Policy TC2: Development in town centres
- Section 14: Achieving well-designed places
- Policy DP3: Key principles for well-designed places
- Section 15: Promoting sustainable transport
- Policy T3: Locating development in sustainable locations
 - Policy T4: Street design, access and parking
- Section 16: Promoting Healthy Communities
- Policy HC4: Proposals for new and improved community facilities, public service infrastructure and development providing public health benefits
- Section 17: Pollution, public protection and security
- Policy P3: Living conditions and pollution
 - Policy P5: Maintaining public safety and security
- Section 20: Conserving and enhancing the historic environment
- Policy HE4: Securing the conservation of heritage assets
 - Policy HE5: Assessing effect on heritage assets
 - Policy HE9: Conservation Areas.

3.0 **Representations**

3.1 **Site Notice and Neighbour Notification** – 5 representations have been received in objection. Their comments are summarised as:

- Noise impact to neighbouring dwellings
- Concerns that this will facilitate further development
- Disturbance from increased vehicle activity / intensified traffic circulation.
- Loss of privacy / overlooking
- Increased activity during anti-social hours
- Incremental commercial intensification of the site
- Loss of residential amenity
- Hard commercial edges adjacent to housing – contrary to local character
- Insufficient information provided about field of view / privacy impact

3.2 **Environmental Health (Noise and Other Nuisances)** – Have been reconsulted and Members will be updated at the meeting.

3.3 **Letchworth Garden City Heritage Foundation** – None received.

3.4 **NHC Conservation Officer** – No objection

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 Morrisons Superstore is a large supermarket and car park located between Station Way and Broadway within the Letchworth Town Centre. The site has vehicle access onto both roads. The site is within the Letchworth Conservation Area.

- 4.2.2 The proposed development would be sited to the northwest corner of the site and is adjacent to Station Way. The site is in use as an existing commercial car park for the Morrisons superstore. Following on from application ref: 25/00466/FP, four EV charging units have been constructed within this area of the car park. The car park is separated by a footpath from residential properties to the East. The closest of which sits approximately 5.8m away.

4.2 **Proposal**

- 4.2.1 Planning permission is sought for the installation of two CCTV pole cameras and installation of one Air-Serv Air machine and one Air-Serv Vacuum machine following removal of no.7 parking spaces.
- 4.2.2 The proposed Air/Vac units would be 1.61m tall, 0.55m wide and 0.56m deep.
- 4.2.3 The proposed CCTV poles would be 3m tall with the cameras installed at 2.7m. Each pole would have two cameras angled and tilted towards the site.

4.3 **Key Issues**

- 4.3.1 The key issues for consideration are as follows:
- The principle of the proposed development.
 - The acceptability of the design of the proposed development and its resultant impact on the character and appearance of the area.
 - 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.
 - The impact that the proposed development would have on the character and appearance of the Conservation Area.

Principle of the Proposed Development

- 4.3.2 NPPF Policy S3 applies a presumption in favour of sustainable development. This is further supported by Policy S4 states that “development within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects”.

- 4.3.3 NPPF policy TC2 states that:

“In considering proposals for development in town centres, substantial weight should be given to the benefits of:

- a. Supporting the overall vitality and viability of the centre, including where this can be achieved through the diversification of uses, intensification and provision of residential accommodation (provided this would not conflict with policies in the development plan for specific locations); and*

b. Improving or retaining access to local shops and other facilities which provide day-to-day services for the local community.”

- 4.3.4 Policy ECT3 provides support for main town centre uses which are “appropriate to the area in terms of use, size, scale, function, catchment area, historic and architectural character”. The proposed CCTV, Air/Vac unit and the supporting use of the EV chargers are not considered to be out of character for a town centre location, the merits of the design and impact upon historic character are considered later within this report.
- 4.3.5 In conclusion on this matter, the proposed development is considered acceptable in principle in this town centre location.

Sustainability and Economic Benefits

- 4.3.6 The NPPF sets out at Chapter 1 that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 17 confirms that there are three overarching objectives to sustainable development: economic, social, and environmental, which are interdependent and need to be pursued in mutually supportive ways. Section 15 of the NPPF promotes sustainable transport and supports development to enable the charging of plug-in and other ultra-low emission vehicles within sustainable locations.
- 4.3.7 Local Plan Policy SP11 supports proposals for renewable and low carbon energy development in appropriate locations, stating that *“to assist in securing radical reductions in greenhouse gas emissions, the Council is required to help increase the use and supply of renewable and low carbon energy. Proposals for renewable and low carbon energy will be favourably considered subject to consideration of the impacts.”*
- 4.3.8 Local Plan Policy SP6 supports development which promotes the use of sustainable transport modes stating that we will “seek the earliest reasonable opportunity to implement sustainable travel infrastructure on Strategic Housing Sites and other development sites in order to influence the behaviour of occupiers or users”
- 4.3.9 The CCTV poles are required for the general security and safety of the site and to support the existing EV charging units. Whilst the EV chargers make a valuable contribution to the promotion of sustainable transport within the area, limited weight is given to the CCTV poles themselves. Whilst these would support the business, had they been essential to the scheme, they should have been included as part of the original application. Furthermore, the EV chargers are currently in operation without the CCTV cameras, and no justification statement has been submitted with the application confirming that they are essential associated development. Therefore, the sustainable and economic benefit they provide is given limited weight
- 4.3.10 The Air/Vac units would not be required to facilitate the use of the EV Chargers but would provide an additional service to users of the car park and support the growth of the existing business on site and moderate weight is attributed to the economic benefits of the scheme overall.

Design, Appearance and impact on Heritage Assets:

- 4.3.11 The objectives of the National Planning Policy Framework (NPPF) include those seeking to secure the creation of high quality, beautiful and sustainable buildings and places (Chapter 14 – Achieving well-designed places). Policy DP3 of the NPPF states that *“Development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings”*. In this regard, Policy D1 of the North Hertfordshire Local Plan are consistent with the objectives set out within the NPPF.
- 4.3.12 Air/Vac units are commonly found within petrol stations forecourts. Motor Fuel Group have identified hundreds of Morrison’s car parks for redevelopment although these are predominantly car parks with petrol stations. I note that a number of residents have queried whether this would be in keeping with the local character.
- 4.3.13 The existing character is that of an open car park with low-lying development with floodlights, trolley hutches and two CCTV poles. A verdant tree line provides a clear separation between the commercial site and the residential area of Broadwater Avenue. There are a number of trees within the parking area which emphasize the verdant character. As such, I consider the existing site to have a light-industrial character.
- 4.3.14 In isolation, the Air/Vac units and the CCTV cameras would not be considered out of character, however when considered in combination with the EV chargers, this leads to an intensification of the industrial character. In my view, the harm to the character of the site would be minor considering the small scale of the Air/Vac units and the modest height of the CCTV poles.
- 4.3.15 North Herts Council’s Senior Conservation Officer has been consulted on the scheme and considers that the proposal would have a neutral impact on the character of the site from a heritage standpoint and therefore the character and appearance of the conservation area would be preserved.
- 4.3.16 As such, the design and appearance would comply with policy D1, NE2 and HE1 of the Local Plan and Sections 4 and 20 of the NPPF.

Impact on Neighbouring Amenity:

- 4.3.17 A core planning principle set out in the NPPF at Policy P3 is to always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. This principle is reflected in the provisions of Policy D3 of the Local Plan.
- 4.3.18 The application site is neighboured by No. 49 Station Way to the west of the site who has raised an objection to the proposed development. The dwelling is set at a lower ground level, sits approximately 5.3m from the car park and is separated by a footpath and a tree line / hedging. Although there is an existing floodlight along this boundary, this has been switched off to protect neighbouring amenity.

- 4.3.19 The applicant has submitted a noise impact assessment which has modelled the impact of the proposed Air/Vac units on the neighbouring dwelling. The study considers that ambient and background noise for neighbouring dwellings fell between 31 and 49.9db between the hours of 7am to 10pm. The predictive cumulative noise level from both units would be 33-34db upon reaching the neighbouring property. As such, the sound from the units would likely fall below the ambient noise when listening from the closest neighbouring property of 49 Station Way. A condition is recommended to limit hours of operation from 7am to 10pm on any given day in line with the EV Chargers approved under ref: 25/00466/FP. Environmental Health have been reconsulted, and Members will be updated at the meeting of any response received.
- 4.3.20 The units themselves would be noisy for their users. However, these would have a similar noise output to domestic vacuums and therefore are considered safe and acceptable.
- 4.3.21 The proposed CCTV cameras would face towards the EV units and by virtue, the neighbouring dwelling as well. Whilst they would be tilted to reduce their field of vision to the car park there may be some perception of overlooking from the neighbour's perspective. Given the screening from the treeline, I consider that there would not be a material impact upon privacy. However, a condition is recommended to ensure that the field of view addresses potential impact upon the privacy of the neighbouring residential property.
- 4.3.22 Given the above, the proposed development would not give rise to any significantly harmful impact upon the neighbouring dwellings.

Impact on Parking and Highways:

- 4.3.23 The proposed development would see the net loss of 5 parking spaces. Given the much larger size of the whole car park and the benefits from providing Air/Vac services charging, this loss would be acceptable.
- 4.3.24 The site and proposal are outside of the public highway network and will not be considered to affect it. The proposal will not obstruct vehicle circulation in the car park. The proposal complies with Policies T1 and T2 of the Local Plan, and Section 15 of the NPPF.

Security

- 4.3.25 The proposed development is required to ensure the safe use and security of the EV charging units. They would have the wider public benefit of discouraging anti-social behaviour within this area of the car park. Moderate weight is given to this benefit.

Environmental Matters

- 4.3.26 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 19 of the NPPF.

Biodiversity Net Gain

- 4.3.27 The existing site is a car park with limited existing habitat space, as such the proposed development is 'de minimis' and would not exceed the threshold of 25 sqm of on-site habitat, or/and less than 5 meters of linear habitats. This application is therefore exempt from BNG legislation defined under article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

4.4 Planning Balance and Conclusion

- 4.4.1 The proposed development is acceptable in principle on this supermarket car park in this town centre location. There would be economic benefits arising from the proposal to which moderate weight is attributed. The proposal would not harm the character and appearance of Letchworth Conservation Area as a whole and this weighs neutral in the planning balance and would the absence of material impact upon residential amenity and other matters considered above.

- 4.4.2 In conclusion, the proposed development is 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 N/A

4.6 Pre-Commencement Conditions

- 4.6.1 N/A

5.0 Recommendation

- 5.1 That planning permission resolved to be **GRANTED** subject to:

A) A response of no objection and any relevant conditions from the North Herts Environmental Health, to be delegated to the Development and Conservation Manager prior to any decision.

B) the agreement to an extension of time to the statutory determination date to allow time for (A) to occur; and

C) the conditions and informative set out below:

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.

3. The use hereby permitted (Air / Vac unit) shall not be available for use by customers outside the following times:
07.00hrs to 22.00hrs on any given day.

Reason: To protect the amenity of existing residents and in accordance with Policy D3 of the North Hertfordshire Local Plan 2011-2031.

4. No development shall take place until details and/or plan of the CCTV field of view has been submitted to and approved in writing by the local planning authority.

Reason: To protect the amenity of existing residents and in accordance with Policy D3 of the North Hertfordshire Local Plan 2011-2031.

BNG Statement

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.