

**WELWYN HATFIELD BOROUGH COUNCIL  
EXECUTIVE DIRECTOR - PLANNING, PUBLIC PROTECTION AND GOVERNANCE**

**DELEGATED APPLICATION**

**Application No:** 6/2021/3401/MAJ  
**Location:** Ocado Ltd Gypsy Moth Avenue Hatfield AL10 9BD  
**Proposal:** Installation of 3,536 solar photovoltaic (PV) array and all associated hardware on existing roof.  
**Officer:** Ms Kirsty Shirley

**Recommendation:** Granted

6/2021/3401/MAJ

<b>Context</b>	
<b>Site and Application description</b>	<p>The application site is located in Hatfield Business Park and the site comprises the Ocado Customer Fulfillment Centre (CFC). To the north of the site are industrial and commercial units with residential properties located beyond. To the east and west of the site are further commercial and industrial units, with residential properties to the south of the site.</p> <p>The proposal is for the installation of 3,536 solar photovoltaic (PV) panels and associated hardware (cabling, inverters, etc) on existing roof of the application unit. The panels will generate a maximum output of 1,200kWp of electricity supply to the application site, with any excess electricity supplied to the Local Electricity Distribution Network.</p> <p>The solar panels would be installed in plane with the roof of the application unit and would be installed across approximately 6.76ha of the roof of the application unit. The panels would be arranged in rows on a north-north east to south-south west alignment.</p>
<b>Constraints (as defined within WHDP 2005)</b>	<p>EMPL - EA6 (Hatfield Business Park) - Distance: 0            LCA - Landscape Character Area (De Havilland Plain) - Distance: 0            PAR - PARISH (HATFIELD) - Distance: 0            Wards - Hatfield Villages - Distance: 0            A4HD - Article 4 HMO Direction - Distance: 0            FM30 - Flood Zone Surface Water 30mm (1873775) - Distance: 0            FM30 - Flood Zone Surface Water 30mm (1873781) - Distance: 0            FM30 - Flood Zone Surface Water 30mm (1874114) - Distance: 0            FM30 - Flood Zone Surface Water 30mm (1874115) - Distance: 0            FM30 - Flood Zone Surface Water 30mm (1873813) - Distance: 0            FM30 - Flood Zone Surface Water 30mm (1874129) - Distance: 0            FM30 - Flood Zone Surface Water 30mm (1874130) - Distance: 0            FM30 - Flood Zone Surface Water 30mm (1873829) - Distance: 0            FM30 - Flood Zone Surface Water 30mm (1873844) - Distance: 0            FM30 - Flood Zone Surface Water 30mm (1874047) - Distance: 0            FM30 - Flood Zone Surface Water 30mm (1874076) - Distance: 0            FM30 - Flood Zone Surface Water 30mm (1874082) - Distance: 0            FM30 - Flood Zone Surface Water 30mm (1900784) - Distance: 0            FM30 - Flood Zone Surface Water 30mm (1900714) - Distance: 0</p>

	<p>FM30 - Flood Zone Surface Water 30mm (1900757) - Distance: 0  FM10 - Flood Zone Surface Water 100mm (2723087) - Distance: 0  FM10 - Flood Zone Surface Water 100mm (2723398) - Distance: 0  FM10 - Flood Zone Surface Water 100mm (2723456) - Distance: 0  FM10 - Flood Zone Surface Water 100mm (2723584) - Distance: 0  FM10 - Flood Zone Surface Water 100mm (2723470) - Distance: 0  FM10 - Flood Zone Surface Water 100mm (2723532) - Distance: 0  FM10 - Flood Zone Surface Water 100mm (2764434) - Distance: 0  FM10 - Flood Zone Surface Water 100mm (2764456) - Distance: 0  FM00 - Flood Zone Surface Water 1000mm (7586812) - Distance: 0  FM00 - Flood Zone Surface Water 1000mm (7585911) - Distance: 0  FM00 - Flood Zone Surface Water 1000mm (7585541) - Distance: 0  FM00 - Flood Zone Surface Water 1000mm (7586759) - Distance: 0  FM00 - Flood Zone Surface Water 1000mm (7585408) - Distance: 0  FM00 - Flood Zone Surface Water 1000mm (7587139) - Distance: 0  FM00 - Flood Zone Surface Water 1000mm (7661530) - Distance: 0  FM00 - Flood Zone Surface Water 1000mm (7661476) - Distance: 0  HAT - Hatfield Aerodrome - Distance: 0  HEN - No known habitats present (medium priority for habitat creation) - Distance: 0  SAGB - Sand and Gravel Belt - Distance: 0  HHAA - Hatfield Heritage Assessment Area(Hatfield Business Park) - Distance: 0  A4DES - Article 4 Direction Employment Sites() - Distance: 0</p>
<p><b>Relevant planning history</b></p>	<p>Application Number: S6/2002/0048/AD  Decision: Granted  Decision Date: 21 March 2002  Proposal: ILLUMINATED FASCIA SIGN AND TWO FREESTANDING ILLUMINATED SIGNS</p> <p>Application Number: S6/2005/0053/FP  Decision: Granted  Decision Date: 14 March 2005  Proposal: INSTALLATION OF 8 DOCK LEVELLERS TO REAR ELEVATION, 10 VAN LEVELLERS TO SIDE ELEVATION &amp; CONCRETING TO REAR YARD</p> <p>Application Number: S6/2006/0043/FP  Decision: Granted  Decision Date: 09 March 2006  Proposal: RELOCATION OF STAFF SHOP</p> <p>Application Number: S6/2006/1491/FP  Decision: Granted  Decision Date: 25 January 2007  Proposal: CHANGE OF USE OF LAND TO FORM HARDSTANDING AND INSTALLATION OF LIGHTING TO REAR OF YARD</p> <p>Application Number: S6/2006/1603/MA  Decision: Granted  Decision Date: 19 February 2007  Proposal: DATA CENTRE INCLUDING PROVISION OF 2 NO. CAR PARKING SPACES LOCATED INDEPENDENTLY FROM MAIN BUILDING</p>

Application Number: S6/2007/0389/FP  
Decision: Granted  
Decision Date: 03 May 2007  
Proposal: EXTENSION TO RELOCATE 'INBOUND OFFICE;  
EXTENSION TO CREATE NEW RETURNS AREA AND INSERTION  
OF FOUR NEW LOADING DOORS

Application Number: S6/2007/0338/MA  
Decision: Granted  
Decision Date: 24 July 2007  
Proposal: ERECTION OF CUSTOMER SERVICES TEAM MEMBER  
FACILITY EXTENSION JOINED TO EXISTING WAREHOUSE  
BUILDING, OVER EXISTING LOADING DOCKS AND ERECTION OF  
NEW TOTEWASHER FACILITY EXTENSION JOINED TO EXISTING  
WAREHOUSE BUILDING, OVER EXISTING LOADING DOCKS.

Application Number: S6/2007/0683/MA  
Decision: Granted  
Decision Date: 31 July 2007  
Proposal: ERECTION OF NEW TRANSFORMER ROOM AND  
SCREENED STANDBY GENERATOR LOCATION ON ROOF OF  
EXISTING PLANT ROOM AND NEW PLANT ROOM AND SMOKING  
SHELTER ENLARGED AND NEW REFRIGERATION EQUIPMENT  
AND NEW WINDOW.

Application Number: S6/2007/1169/MA  
Decision: Granted  
Decision Date: 28 September 2007  
Proposal: PROPOSED NEW VAN WASH FACILITY AND  
RELOCATION OF THE DATA CENTRE

Application Number: S6/2008/1758/FP  
Decision: Granted  
Decision Date: 04 November 2008  
Proposal: INSTALLATION OF TEN AIR CONDITIONING UNITS TO  
ROOF

Application Number: S6/2008/1650/FP  
Decision: Granted  
Decision Date: 04 November 2008  
Proposal: RETENTION OF INNER STEEL FENCE AND OUTER  
TIMBER FENCE

Application Number: S6/2009/2334/MA  
Decision: Approval Subject to s106  
Decision Date: 04 November 2010  
Proposal: CONSTRUCTION OF SINGLE DECKED CAR PARK OVER  
EXISTING GROUND LEVEL CAR PARK AND THE USE OF LAND TO  
THE NORTH OF THE SITE FOR CAR PARKING TO PROVIDE 566  
ADDITIONAL SPACES; LANDSCAPING AND ASSOCIATED  
INFRASTRUCTURE CHANGES AND PROVISION OF ADDITIONAL  
DISABLED PARKING BAYS IN FRONT OF THE MAIN BUILDING

Application Number: S6/2010/2484/FP

	<p>Decision: Granted  Decision Date: 24 June 2011  Proposal: Installation of plantroom including transformer &amp; generator, additional dock doors and fire escapes and installation of double deck &amp; external goods lift</p> <p>Application Number: S6/2015/1021/FP  Decision: Granted  Decision Date: 08 September 2016  Proposal: Installation of mezzanine floor and windows to first floor</p> <p>Application Number: 6/2016/1592/MAJ      De  cision: Granted  Decision Date: 21 December 2016  Proposal: Erection of two storey, 18 bay, modular building following the removal of car park canopy</p> <p>Application Number: 6/2017/1495/FULL  Decision: Granted  Decision Date: 22 September 2017  Proposal: Installation of an uninterrupted power supply, including 2 x containers, reinforced plinth, cable chamber and the relocation of 6 x lightning protection rods</p> <p>Application Number: 6/2017/2761/FULL  Decision: Granted  Decision Date: 29 January 2018  Proposal: Erection of replacement fence</p> <p>Application Number: 6/2018/1179/FULL  Decision: Granted  Decision Date: 03 July 2018  Proposal: Installation of a Compressed Natural Gas (CNG) Refuelling Station</p> <p>Application Number: 6/2018/2241/FULL  Decision: Granted  Decision Date: 25 January 2019  Proposal: Erection of an ancillary Vehicle Maintenance Unit to serve the existing distribution unit</p> <p>Application Number: 6/2019/1101/FULL  Decision: Granted  Decision Date: 31 July 2019  Proposal: Erection of an ancillary staff shop following demolition of an existing cabin building</p>		
<b>Consultations</b>			
<b>Neighbour representations</b>	Support: 0	Object: 1	Other: 0
<b>Publicity</b>	Site Notice Display Date: 31 March 2022 Site Notice Expiry Date: 23 April 2022 Press Advert Display Date: 30 March 2022 Press Advert Expiry Date: 22 April 2022 Neighbour notification letter		

<b>Summary of neighbour responses</b>	<p>2 Waight Close – Object:</p> <ul style="list-style-type: none"> <li>• <i>There are no details regarding where the construction compound would be sighted and we are already dealing with constant noise from the site.</i></li> <li>• <i>There are no details as to what kind of noise can be expected during the construction of development and how it will be mitigated</i></li> <li>• <i>There are no details regarding the noise of the development post installation.</i></li> </ul>
<b>Consultees and responses</b>	<p>WHBC Public Health and Protection – Comment: <i>Recommend planning application is permitted but with conditions</i></p> <p>HCC Hertfordshire Transport Programmes &amp; Strategy – <i>Recommend planning application is permitted but with conditions</i></p> <p>HCC Lead Local Flood Authority – Comment: <i>No comment</i></p> <p>Hatfield Town Council – no response</p> <p>Hertfordshire Ecology – no response</p>
<b>Relevant Policies</b>	
<p><input checked="" type="checkbox"/> NPPF  <input checked="" type="checkbox"/> D1   <input checked="" type="checkbox"/> D2   <input type="checkbox"/> GBSP1   <input checked="" type="checkbox"/> GBSP2   <input checked="" type="checkbox"/> M14  <input checked="" type="checkbox"/> Supplementary Design Guidance   <input checked="" type="checkbox"/> Supplementary Parking Guidance   <input checked="" type="checkbox"/> Interim Policy for car parking and garage sizes</p> <p>Others:</p> <p><i>District Plan Policies</i>  SD1 Sustainable Development  R4 Renewable Energy Sources</p> <p><i>Emerging Local Plan Policies</i>  SP1 Delivering Sustainable Development  SP9 Place Making and High Quality Design  SP10 Employment Development  SADM2 Highway Network and Safety  SADM11 Amenity and Layout  SADM18 Environmental Pollution</p>	
<b>Main Issues</b>	
<b>Design (form, size, scale, siting) and Character (appearance within the streetscene)</b>	<p>Views of the proposed solar PV panels would be very limited from public vantage points and the surrounding environment considering their design, positioning, limited mounting level above the existing roof and considering the height and location of the subject building.</p> <p>In this respect, the proposal would not have an adverse visual impact and therefore maintains the area's existing character in accordance with Policies D1, D2 and GBSP2 of the District Plan, the Council's SDG. Policy SP9 of the Emerging Local Plan and NPPF.</p>
<b>Impact on neighbours</b>	<p>An objection has been received from a resident regarding potential noise from the development during and post construction. The Council's</p>

	<p>Public Health and Protection officer has commented on this application advising in the event of an approval conditions should be included regarding noise from both the construction and new equipment. Informatives have also been included regarding noise to advise the applicant.</p> <p>Subject to the suggested conditions, the proposed development would not adversely affect the living conditions of occupiers of any properties in accordance with Policy D1 of the District Plan, Council's SDG, Policy SADM11 of the Emerging Local Plan and the NPPF.</p>
<p><b>Access, car parking and highway considerations</b></p>	<p>The Highways Authority have been consulted on this application and initially raised concerns regarding the staff car parking relocation during the construction of the development. Further information was then submitted to demonstrate the relocation of 13 car parking spaces during construction and the Highways Authority have re-commented that the proposed temporary relocation of car parking spaces would not have a significant impact on the surrounding road network.</p> <p>The Highways Authority have also suggested a condition regarding a Construction Management Plan to ensure highway safety is maintained and the amenity of other uses of the highway during the construction of the development.</p>
<p><b>Other Material considerations</b></p>	
<p><i>Principle of development</i></p> <p>The National Planning Policy Framework (NPPF) outlines that the planning system should support the transition to a low carbon future in a changing climate. This is a key environmental objective of sustainable development. The NPPF supports renewable and low carbon energy in suitable locations. This approach is consistent with both the Council's saved and Emerging Local Plan.</p> <p>The NPPF also states in paragraph 158 that when determining planning applications, local planning authorities should recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions.</p> <p>Policy R4 of the District Plan states that planning permission will be granted for proposal for the development of renewable energy sources subject to all of the following criteria:</p> <ul style="list-style-type: none"> <li>i. It would not have a significant visual impact;</li> <li>ii. It would not generate an unacceptable level of traffic;</li> <li>iii. It would not result in an unacceptability high level of atmospheric emissions;</li> <li>iv. It would not have a significant adverse impact upon features or areas of ecological, architectural, landscape or conservation importance;</li> <li>v. It would not have a detrimental impact upon adjoining properties and land holdings; and</li> <li>vi. It would not generate an unacceptable level of noise.</li> </ul> <p>The proposal would not conflict with any of the above criteria and therefore would also accord with Policies SD1 and R4 of the District Plan, Policies SP1 and SP10 of the</p>	

Emerging Local Plan and the NPPF.

**Conclusion**

Subject to the suggested conditions, the proposed development would be in accordance with the relevant policies of the Welwyn Hatfield District Plan; the Emerging Local Plan; the Supplementary Design Guidance; and the National Planning Policy Framework.

**Conditions:**

1. Prior to the first operational use of any new plant and equipment, details relating to a scheme to mitigate noise from any new plant and equipment must be submitted to and approved in writing by the Local Planning Authority. The impact of new plant and equipment should be assessed in accordance with BS4142:2014+A1:2019. When noise sources show signs of tonality, we require noise levels to be 10dB below background noise level at the nearest receptor location. In instances where the noise source presents no tonality, we require the noise level to be 5dB below the background noise level at the nearest receptor location.

REASON: To protect the residential amenity of adjoining occupiers in accordance with Policy R19 & D1 of the Welwyn Hatfield District Plan 2005.

2. No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority, including elements of the Construction Logistics and Community Safety (CLOCS) standards as set out in the Highway Authority's Construction Management template. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan: The Construction Management Plan shall include details of:
  - a. Construction vehicle numbers, type;
  - b. Access arrangements to the site;
  - c. Traffic management requirements;
  - d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
  - e. Siting and details of wheel washing facilities (if applicable);
  - f. Cleaning of site entrances, site tracks and the adjacent public highway;
  - g. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
  - h. Provision of sufficient on-site parking prior to commencement of construction activities;
  - i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway; and

j. Where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements;

REASON: To ensure satisfactory provision to protect the residential amenity of adjoining occupiers and highway safety in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005 and Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

3. All noisy works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Council, shall be carried out only between the hours of:

8.00am and 6.00pm on Mondays to Fridays  
8.00am and 1.00pm Saturdays  
and at no time on Sundays and Bank Holidays

If noisy works must be carried out beyond these times, then an application must be made for consideration by environmental health under the Control of Pollution Act 1974 (Section 61 application).

REASON: To protect the residential amenity of adjoining occupiers in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005.

#### DRAWING NUMBERS

4. The development/works shall not be started and completed other than in accordance with the approved plans and details:

<b>Plan Number</b>	<b>Revision Number</b>	<b>Details</b>	<b>Received Date</b>
634-SYZ-DT-01	V1	Proposed Panel Detail	22 March 2022
LP	A	Site Location Plan	14 December 2021
634-SYZ-DR-01	V1	Site Plan V1	14 December 2021
634-SYZ-DR-02	V2	Existing Floor Plan V1	22 February 2022
634-SYZ-EL-02	V1	Updated Elevations V1	22 February 2022
634-SYZ-EL-02G	V1	Updated Elevations East Elevation Part 1 V1	4 March 2022
634-SYZ-EL-02H	V1	Updated Elevations East Elevation Part 2 V1	4 March 2022
634-SYZ-EL-02A	V1	Updated Elevations North Elevation Part 1 V1	4 March 2022
634-SYZ-EL-	V1	Updated Elevations North	4 March 2022



02B		Elevation Part 2 V1	
634-SYZ-EL-02C	V1	Updated Elevations South Elevation Part 1 V1	4 March 2022
634-SYZ-EL-02D	V1	Updated Elevations South Elevation Part 2 V1	4 March 2022
634-SYZ-EL-02E	V1	Updated Elevations West Elevation Part 1 V1	4 March 2022
634-SYZ-EL-02F	V1	Updated Elevations West Elevation Part 2 V1	4 March 2022
SOLDOM112 71IPP		Inverter Panel Plan	3 December 2021
634-634-DR-03	V3	Solar Panel Layout Markup	8 August 2022

REASON: To ensure that the development is carried out in accordance with the approved plans and details.

**Informatives:**

1. The decision notice contains conditions which require you to submit information to the Local Planning Authority and have it approved in writing before any development relating to the approval takes place. There is a formal procedure for applying to discharge conditions and further information can be found at <http://www.welhat.gov.uk/index.aspx?articleid=834> . Failure to comply with this type of condition may result in the development being considered unlawful and enforcement action could be taken. If you require any clarification or information please contact the section on 01707 357000.
2. This permission does not convey any consent which may be required under any legislation other than the Town and Country Planning Acts. Any permission required under the Building Regulations or under any other Act, must be obtained from the relevant authority or body e.g. Fire Officer, Health and Safety Executive, Environment Agency (water interest etc.) Neither does this permission negate or override any private covenants or legal interest (easements or wayleaves) which may affect the land.
3. The granting of this permission does not convey or imply any consent to build upon or access from any land not within the ownership of the applicant.
4. Any damage to the grass verges caused by the development/works hereby approved is the responsibility of the applicant and must be re-instated to their original condition, within one month of the completion of the development/works. If damage to the verges are not repaired then the Council and/or Highway Authority will take appropriate enforcement action to remedy any harm caused.
5. In addition, and separate to your planning permission, for the majority of schemes, you are required by law to appoint a building regulator who will inspect your

property at various stages during the course of your building project. This is to ensure it is compliant with the Building Regulations and the Building Act 1984.

The checks the building regulator will carry out include, but are not limited to, the structure, foundations, fire precautions and escape routes, electrical and plumbing compliance and other issues such as drainage and insulation. The objective of these checks is to ensure that your building is safe to live in, accessible and environmentally sustainable.

Once all build stages are checked and the works are finished, a Completion Certificate is issued confirming that these objectives have been met. You will also need the Completion Certificate, should you sell the property, as it will confirm to future owners that the work has been carried out in compliance with the Regulations.

As the owner of the property, you are responsible for Building Regulations compliance so we would urge you to decide which regulator to use, as opposed to leaving your builder or architect to make the choice. This is so that you can be sure the building regulator is truly independent and working to protect you from any breach or omission during the works.

Hertfordshire Building Control Limited are a Company wholly owned by eight local authorities in Hertfordshire including Welwyn Hatfield Borough Council. Please contact them on 01438 879990 or at [buildingcontrol@hertfordshirebc.co.uk](mailto:buildingcontrol@hertfordshirebc.co.uk) to discuss the process and all that is involved. Or alternatively refer to the Homeowner Information section on their website at [www.hertfordshirebc.co.uk](http://www.hertfordshirebc.co.uk)

6. The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the County Council website at:  
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
7. It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the County Council website at:  
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
8.
  1. The best practicable means, as defined in section 72 of the Control of Pollution Act 1974, to reduce noise to a minimum shall be employed at all times
  2. All plant and machinery in use shall be properly silenced and maintained in accordance with the manufacturers' instructions

3. All compressors shall be sound reduced models, fitted with properly lined and sealed acoustic covers, which shall be kept closed whenever the machines are in use. All ancillary pneumatic percussive tools shall be fitted with mufflers or silencers of the type recommended by the manufactures.
  4. All machines in intermittent use shall be shut down during intervening periods between work, or throttled down to a minimum. Noise emitting equipment, which is required to operate continuously, shall be housed in suitable acoustic enclosures.
  5. Items of plant and equipment shall be maintained in good condition so that extraneous noise from mechanical vibration, squeaking or creaking is reduced to a minimum.
  6. All pile driving shall be carried out by a recognised noise reducing system.
  7. Where practical, rotary drills and bursters, actuated by hydraulic or electric power shall be used for excavating hard material
  8. In general, equipment for breaking concrete and the like, shall be hydraulically actuated.
  9. 'BS 5228 Noise Control on Construction Sites' should be referred to for guidance in respect of all work carried out by the developer, their main contractor and any sub contractors.
  10. Any emergency deviation from these conditions shall be notified to the Council without delay
  11. Any planned deviations from these conditions for special technical reasons, shall be negotiated with Council at least 14 days prior to the commencement of the specific work.
  12. Permissible noise levels are not specified at this stage.
9. 1. All efforts shall be made to reduce dust generation to a minimum.
  2. Stock piles of materials for use on the site or disposal, that are likely to generate dust, shall be sited so as to minimise any nuisance to residents or neighbouring businesses. Materials for disposal shall be moved off site as quickly as possible.
  3. Water sprays shall be used, as and when necessary, to reduce dust from particularly "dusty" activities or stock piles.

**Determined By:**

Mr Derek Lawrence  
25 August 2022