

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

DELEGATED APPLICATION

Application No: 6/2022/0326/FULL
Location: Booker Cash And Carry Hatfield Business Park Frobisher Way
 Hatfield AL10 9TR
Proposal: Installation of a storage tank and three Selective Catalytic
 Reduction (SCR) exhaust gas treatment on existing three roof top
 generators with roof mounted equipment and associated handrails
Officer: Ms Kirsty Shirley
Recommendation: Granted

6/2022/0326/FULL

Context	
Site and Application description	<p>The application site is located within and to the north of the Booker Cash and Carry. The Booker Cash and Carry site is located to the east side of Frobisher Way and is flanked by other large warehouse sites in the immediate vicinity. Beyond the southern boundary of the Booker Cash and Carry site is a residential area that backs onto the rear of the site.</p> <p>The proposal is for the installation of a storage tank and three Selective Catalytic Reduction (SCR) exhaust gas treatment on the existing three roof top generators with roof mounted equipment and associated handrails.</p> <p>The PeakGen Power Generator Compound site located in the Booker site has three generator units which are contracted by National Grid Electricity System Operator (NGESO) to balance the fluctuating power requirement in the UK's electricity network. The generators are signalled by NGESO to operate during periods of high system demand for electricity, or when there is a shortfall in supply.</p> <p>In an effort to support the transition to cleaner generation, Regulations under paragraph 5 of Schedule 25B Environmental Permit Conditions: General, introduced a new requirement that generating units, such as those installed by PeakGen at the site generating electricity for certain NGESO agreements, must be able to limit the emissions of nitrogen oxides to 190/Nm3.</p> <p>The proposed exhaust gas treatment (the Selective Catalytic Reduction (SCR)), will convert the nitrogen oxides in the generator exhaust to nitrogen and water, which will reduce the nitrogen oxide emissions from the generators, enabling cleaner generation and improved air quality when the units are in operation.</p>
Constraints (as defined within WHDP 2005)	EMPL - EA6 (Hatfield Business Park) - Distance: 0 PAR - PARISH (HATFIELD) - Distance: 0 Wards - Hatfield Villages - Distance: 0 A4HD - Article 4 HMO Direction - 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		
Relevant planning history	Application Number: S6/2010/3155/FP Decision: Granted Decision Date: 17 June 2011 Proposal: Installation of five diesel powered generators (which are housed in insulated container units) with two number fuel storage containers and one switch gear container and 2.5m acoustic barrier Application Number: S6/2012/2163/FP Decision: Granted Decision Date: 20 December 2012 Proposal: Installation of solar panels (PV 4kW) Application Number: 6/2019/0892/LAWP Decision: Granted Decision Date: 10 June 2019 Proposal: Certificate of lawfulness for erection of canopy and loading platform		
Consultations			
Neighbour representations	Support: 0	Object: 0	Other: 0
Publicity	Neighbour notification letter		
Summary of neighbour responses	None received		
Consultees and responses	WHBC Public Health and Protection – Comment: <i>recommend approval with conditions.</i> Hatfield Town Council – Comment: <i>the application is a green upgrade to existing plant and machinery, we have no issues with the application.</i> Environment Agency – Comment: <i>no comments to make on the application.</i>		
Relevant Policies			
<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 type="checkbox"/> M14 <input checked="" type="checkbox"/> Supplementary Design Guidance <input type="checkbox"/> Supplementary Parking Guidance <input type="checkbox"/> Interim Policy for car parking and garage sizes			
Main Issues			
Is the development within a conservation area?			
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Would the significance of the designated heritage asset be preserved or enhanced?			
<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A			
Comment (if applicable):			
Would the development reflect the character of the area?			
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Comment (if applicable): The proposed development would be an appropriate size and scale for the			

site, and would not be readily visible from public vantage points due to the developments scale and positioning.

Would the development maintain the amenity of adjoining occupiers? (e.g. privacy, outlook, light etc.)

Yes No N/A

Comment (if applicable): The application site is within a business park and the development is not in proximity to residential dwellings. No representations from neighbouring sites have been received.

It is considered that the positioning, size and scale of the development would not result in the loss of sunlight or privacy to adjoining neighbours, nor would the development appear overbearing.

Would the development provide / retain sufficient parking?

Yes No N/A

Comment (if applicable):

Any other issues

Noise

The Council's Public Health and Protection Team's comments in relation to noise are noted. It is generally accepted that most forms of development will result in some noise, particularly during the construction phase. However, this is usually for a relatively short period of time which does not cause an unacceptable or long term impact on the living conditions of neighbouring occupiers. In this case, due to the relatively small scale and location of the development, it is not considered to be appropriate or reasonable to restrict the hours of construction by imposing a planning condition. It should be noted that noise disturbance is covered by other legislation and therefore can only be given very limited weight in the consideration of this application. An informative has been added to advise the applicant.

Conclusion

The proposed development would have an acceptable impact on the character and appearance of the existing unit, its site and the surrounding area and the proposal would not result in any undue impacts on the living conditions of neighbouring occupiers. The proposal is therefore acceptable and is in accordance with the Welwyn Hatfield District Plan; the Supplementary Design Guidance; and the National Planning Policy Framework.

DRAWING NUMBERS

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

Plan Number	Revision Number	Details	Received Date
HAT02	D	Proposed Plan	11 February 2022
HAT03	D	Proposed Elevations	11 February 2022
04		Generator Container Elevations	11 February 2022
HAT06		Site Plan	16 February 2022
HAT05		Existing Site Layout	16 February 2022

HAT04	Existing Elevations	16 February 2022
HAT01	Location Plan	1 March 2022

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

1. POSITIVE AND PROACTIVE STATEMENT

The decision has been made taking into account, where practicable and appropriate the requirements of paragraph 38 of the National Planning Policy Framework and material planning considerations do not justify a decision contrary to the development plan (see Officer's report which can be viewed on the Council's website or inspected at these offices).

Informatives:

1. Noise Control:

1. All 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
2. 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
3. All plant and machinery in use shall be properly silenced and maintained in accordance with the manufacturers' instructions
4. 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 manufacturers.
5. 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.
6. 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.
7. All pile driving shall be carried out by a recognised noise reducing system.
8. Where practical, rotary drills and bursters, actuated by hydraulic or electric power shall be used for excavating hard material
9. In general, equipment for breaking concrete and the like, shall be hydraulically actuated.
10. '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.

11. Any emergency deviation from these conditions shall be notified to the Council without delay

12. 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.

13. Permissible noise levels are not specified at this stage.

Dust control:

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.
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. 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 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

Determined By:

Mr Mark Peacock
3 May 2022