

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

DELEGATED APPLICATION

Application No: 6/2022/2197/FULL
Location: Booker Cash and Carry Frobisher Way Hatfield AL10 9TR
Proposal: Relocation of external refrigeration plant facilities
Officer: Mrs Kerrie Charles

Recommendation: Granted

6/2022/2197/FULL

Context			
Site and Application description	<p>Booker Cash and Carry is fairly large distribution centre located within the business park in Hatfield and set back from other commercial sites.</p> <p>This application seeks planning permission for the relocation of external plant facilities. The proposal include the relocation of existing refrigeration plant, which includes a container sitting on concrete pads, the compound will be enclosed with protective palisade fencing. The area would measure approximately 10m in width and 16m in depth.</p>		
Constraints (as defined within WHDP 2005)	<p>EMPL - EA6 (Hatfield Business Park) - 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 (1873390) - Distance: 0 FM10 - Flood Zone Surface Water 100mm (2722403) - Distance: 0 FM00 - Flood Zone Surface Water 1000mm (7586420) - 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>		
Relevant planning history	None		
Consultations			
Neighbour representations	Support: 0	Object: 0	Other: 0
Publicity	Neighbour notification.		
Summary of neighbour responses	None received.		
Consultees and responses	WHBC Public Health and Protection – recommend approval with conditions.		
Relevant Policies			
<input checked="" type="checkbox"/> NPPF			

D1 D2 GBSP1 GBSP2 M14

Supplementary Design Guidance Supplementary Parking Guidance Interim Policy for car parking and garage sizes

Others: R19

Main Issues

Design (form, size, scale, siting) and Character (appearance within the streetscene)

Policy D1 requires the standard of design in all new development to be of a high quality and Policy D2 requires all new development to respect and relate to the character and context of the area in which it is proposed. It notes that development proposals should as a minimum maintain, and where possible, should enhance or improve the character of the existing area. Policy GBSP2 requires that 'within specified settlements development will be limited to that which is compatible with the maintenance and enhancement of their character'. The Welwyn Hatfield District Plan Supplementary Design Guidance (SDG) supplements the policies contained in the District Plan.

The proposal is for the relocation plant equipment equipment sited with a fenced compound.

The proposed area is not visible unless you enter the site and would not be visible from any public vantage point.

Taking into consideration the scale of the distribution centre, the proposed development would not have an undue impact on the character of the existing building.

It is considered that the design would relate well to the building and it follows that there is no conflict with Policies GBSP2, D1 and D2 of the adopted Welwyn Hatfield District Plan 2005 insofar as these seek to ensure that development is designed to a high quality, respects local character and context and therefore is considered to sufficiently preserve the character and appearance of the property.

Impact on neighbours

The site is not located close to any residential properties and has and considerable separation distance from any other commercial building.

Access, car parking and highway considerations

The proposal is not considered to impact on the highway or parking provisions.

Landscaping Issues

N/A

Any other considerations

A noise impact assessment has been submitted to predict the impact of the proposed plant and equipment. The noise report provides noise level criteria that the plant and equipment should operate at to achieve the predicted noise levels at the nearest receptors. Public Health would like to see evidence, in the form of noise measurements to show that the plant does in fact operate at the noise level criteria that has been set within the noise report. A condition is recommended on this basis.

Conclusion

The proposed development would have an acceptable impact on the character and appearance of the existing building, its site and the surrounding area and the proposal would not result in any significantly detrimental impacts on the living conditions of neighbouring occupiers when mitigated by the fencing/compound around the plant and equipment.

The proposal is therefore acceptable and is in accordance with Policies R19, D1 and D2 of the Welwyn Hatfield District Plan 2005, the Supplementary Design Guide and the National Planning Policy Framework.

Conditions:

1. Within two months of the installation of the plant and equipment, a noise report technical note must be submitted to and approved in writing by the Local Plan Authority. The note must include the results of the noise measurements that have been carried out to demonstrate compliance with the following:

The combined sound pressure levels from the operation of all plant must not exceed: 60dB LAeq 1 hour between 07:00 – 19:00 60dB LAeq 1 hour between 19:00 – 23:00 65dB LAeq 1 hour between 23:00 – 07:00 Noise measurements must be taken at 10m from the edge of the plant area in free field conditions.

Non compliance with the above noise criteria, will require additional noise mitigation measures to be implemented to ensure that compliance can be achieved.

REASON: To ensure that the operation of all plant and equipment hereby approved meets the required noise criteria limits to protect neighbour amenity in accordance with Policy R19 & D1 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

DRAWING NUMBERS

2. 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
		Location Plan	22 September 2022
14-1021-3000	P2	Existing Site Plan	22 September 2022
04.1	A	Services Layout -Mains Electrical Proposed Site Plan (2)	22 September 2022
03	A	Proposed Refrigeration Plant Layout Plan	22 September 2022
3597		Plant Relocation Plan As Built May 2021	22 September 2022
BC E 1001		North & East Elevations As Existing & As Proposed	1 November 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. 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.
2. 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.
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
5 December 2022