



**TOWN AND COUNTRY PLANNING ACT 1990  
PLANNING DECISION NOTICE – PERMISSION**

**S6/2013/1087/FP**

**Demolition of farm cottages (2 dwellings) adjacent to club house and barn adjacent to Pulham House. Erection of detached house with double garage adjacent to Pulham House on existing barn site within golf course**

**at: Essendon Country Club Bedwell Park Essendon HATFIELD**

**Agent Name And Address**

Mr T Burton  
Terence C Burton MCIAT  
8 Wheel Wrights Close  
BISHOPS STORTFORD  
CM23 4GH

**Applicant Name And Address**

Essendon Property Ltd  
Walled Garden House  
Cucumber Lane  
Essendon  
HATFIELD  
AL9 6GL

In pursuance of their powers under the above mentioned Act and the Orders and Regulations for the time being in force thereunder, the Council hereby **PERMIT** the development proposed by you in your application received with sufficient particulars on 21/05/2013 and shown on the plan(s) accompanying such application, subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: In order to comply with Section 91 of the Town and Country Planning Act (As amended)

2. The development/works shall not be started and completed other than in accordance with the approved plans and details:13/ECC/PL/01A & 13/ECC/PL/02C & 13/ECC/PL/03A & 13/ECC/PL/04A & PR118569-01 received and dated 21 May 2013 unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that the development is carried out in accordance with the approved drawings and any changes must be agreed in advance in writing by the Local Planning Authority.

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#### PRE DEVELOPMENT

3. No development shall take place until samples of materials to be used in the construction of the external surfaces of the building hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented using the approved materials. Subsequently, the approved materials shall not be changed without the prior written consent of the Local Planning Authority.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with Policies D1 and D2 of the Welwyn Hatfield District Plan 2005.

4. No development shall take place until full details on a suitably scaled plan of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. The landscaping details to be submitted shall include:-

- a) proposed finished levels [earthworks to be carried out]
- b) means of enclosure and boundary treatments
- e) hard surfacing, other hard landscape features and materials
- g) planting plans, including specifications of species, sizes, planting centres, number and percentage mix, and details of seeding or turfing
- h) details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife
- i) details of siting and timing of all construction activities to avoid harm to all nature conservation features
- j) location of service runs

REASON: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with Policy D8 of the Welwyn Hatfield District Plan 2005.

5. (a) No retained tree or shrub shall be cut down, uprooted or destroyed, nor shall any retained tree or shrub be pruned other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

**Continuation...**

(b) If any retained tree or shrub is removed, uprooted or destroyed or dies, another tree or shrub shall be planted at the same place and that tree or shrub shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

(c) The erection of fencing for the protection of any retained tree shrub or hedge shall be undertaken in accordance with details approved in writing by the Local Planning Authority to comply with the recommendation of British Standard 5837 (2005) before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority. No fires shall be lit within 20 metres of the retained trees and shrubs.

In this condition, retained tree or shrub, means an existing tree or shrub, as the case may be, which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) above shall have effect until the expiration of [five years] from [the date of the occupation of the building for its permitted use]

REASON: To protect the existing trees, shrubs and hedgerows in the interest of visual amenity in accordance with Policy D8 of the Welwyn Hatfield District Plan 2005.

6. No demolition/development shall take place/commence until an Archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of archaeological significance and research questions; and:

- i. The programme and methodology of site investigation and recording
- ii. The programme and methodology of site investigation and recording as suggested by the archaeological evaluation
- iii. The programme for post investigation assessment
- iv. Provision to be made for analysis of the site investigation and recording
- v. Provision to be made for publication and dissemination of the analysis and records of the site investigation
- vi. Provision to be made for archive deposition of the analysis and records of the site investigation
- vii. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.

REASON: To enable the assessment of the site by qualified persons for the investigation of archaeological remains in accordance Policy R29 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

**Continuation...**

7. Demolition works shall be carried out on site between 1st March and 31st August inclusive in any year requires the cottages to be inspected by an ecologist for nest birds immediately prior to demolition. If nesting birds are found than the demolition will need to be delayed and the Local Planning Authority contacted to report this.

REASON: To protect breeding birds in accordance with the Wildlife and Countryside Act 1981 (As amended) and the National Planning Policy Framework.

8. Prior to the commencement of development, detailed plans of the proposed photovoltaics / solar panels shall be submitted to the Local Planning Authority for approval in writing. Subsequently these materials shall be implemented and retained unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of the sustainability of the site and in accordance with policy SD1 and R3 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

9. All plot boundary treatments will need to be designed, positioned and installed to avoid damage to retained trees. When within Root Protection Areas, this will include hand excavation of all post holes, and the lining of any post holes with a non porous membrane.

REASON: To ensure the ongoing health of existing trees on site and to stop leaches from the concrete damaging the tree roots. In the interests of the amenity of the area and in accordance with policy D8 and R17 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

10. The proposed materials for the hardsurfacing of the driveway and patio areas shall be of a permeable surface, details of which shall be submitted to and approved in writing, prior to the commencement of development, by the Local Planning Authority. Subsequently these materials shall be implemented and retained unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of the sustainability of the site and in accordance with policy SD1 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

**PREOCCUPATION**

11. The development shall not be occupied/used until the archaeological investigation and post investigation assessment has been completed in accordance with the programme set out in the Archaeological Written Scheme of Investigation approved under condition 6 and the required provision made for analysis.

REASON: To enable the assessment of the site by qualified persons for the investigation of archaeological remains in accordance Policy R29 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

## Continuation...

12. The development shall not be occupied/used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 6 and the provision made for analysis and publication where appropriate.

REASON: To enable the assessment of the site by qualified persons for the investigation of archaeological remains in accordance Policy R29 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

## POST DEVELOPMENT

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no development within Class A of Part 1 of Schedule 2 shall take place unless permission is granted on an application made to the Local Planning Authority

REASON: To enable the Local Planning Authority to fully consider the effects of development normally permitted by that order in the interests of residential and visual amenity in accordance with Policies D1 and D2 of the Welwyn Hatfield District Plan 2005

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no development within Class B of Part 1 of Schedule 2 shall take place, unless permission is granted on an application made to the Local Planning Authority.

REASON: To enable the Local Planning Authority to fully consider the effects of development normally permitted by that order in the interests of residential and visual amenity in accordance with Policies D1 and D2 of the Welwyn Hatfield District Plan 2005

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no development within Class E of Part 1 of Schedule 2 shall take place, unless permission is granted on an application made to the Local Planning Authority.

REASON: To enable the Local Planning Authority to fully consider the effects of development normally permitted by that order in the interests of residential and visual amenity in accordance with Policies D1 and D2 of the Welwyn Hatfield District Plan 2005

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) no fences, gates or walls shall be constructed within the site or on the site boundaries, unless permission is granted on an application made to the Local Planning Authority.

**Continuation...**

REASON: To enable the Local Planning Authority to fully consider the effects of development normally permitted by that order in the interests of residential and visual amenity in accordance with Policies D1 and D2 of the Welwyn Hatfield District Plan 2005

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no garage[s] shall be converted to another use, unless permission is granted on an application made to the Local Planning Authority.

REASON: To enable the Local Planning Authority to fully consider the effects of development normally permitted by that order in the interests of residential and visual amenity in accordance with Policies D1 and D2 of the Welwyn Hatfield District Plan 2005

18. All planting seeding or turfing and soil preparation comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner: and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development in accordance with Policy D8 of the Welwyn Hatfield District Plan 2005.

19. The Atcost Barn, located within the curtilage of the proposed dwelling site, shall be demolished prior to the commencement of works for the replacement dwelling. All materials, not being recycled within the site shall be removed within 2 months of completion of the dwelling and prior to the implementation of the landscaping.

REASON: In the interests of the amenity of the area and Green Belt location in accordance with policies D1 and D2 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

20. The first floor bathroom and side window to bedroom 4 on the east side elevation of the proposed building shall be glazed with obscured glass and shall be fixed so as to be incapable of being opened below a height of 1.8 metres above floor level, and shall be retained in that form thereafter.

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

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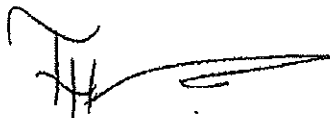
## REASONS FOR APPROVAL

The decision has been made taking into account, where practicable and appropriate the requirements of paragraphs 186-187 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 inspected at these offices).

## INFORMATIVES:

1. The applicant is advised that Hertfordshire County Council Archaeology section is able to provide guidance regarding a design brief detailing the requirements for the investigations and provide information on professionally accredited archaeological contractors who may be able to carry out the necessary works.
2. The development will involve the numbering of properties and naming new streets. The applicant MUST contact WHBC Transportation (Cathy Wilkins 01707 357558 before any name or number is proposed. This is a requirement of the Public Health Act 1875 and Public Health (Amendment) Act 1907.
3. The demolition works must be carried out in accordance with the requirements of the Habitat Regulation License and associated method statement that has been approved from Natural England. The licence expires at the end of July 2015 and so any demolition works of Farm Cottages after this date (and before the expiry of this planning permission) will require a new licence from Natural England.

Date : 08 August 2013



Tracy Harvey  
Head of Planning

