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LH

29th May 2009  
Job No 576

PLANNING  
DEPARTMENT  
02 JUN 2009  
RECEIVED

Mrs Lisa Hughes  
Senior Planning Officer  
Development Control (South Area Team)  
Welwyn Hatfield District Council  
The Campus  
Welwyn Garden City  
Hertfordshire  
AL8 6AE

BROOKS / MURRAY

Your Reference: S6/2005/432/FP

WELWYN HATFIELD  
PLANNING  
OFFICE COPY  
- 2 JUN 2009  
SG/ 2009/1123/DS  
No: \_\_\_\_\_

Dear Mrs Hughes,

Re: Dunhams Courtyard, Park Street, Old Hatfield – Discharge of conditions

**DUNHAMS COURTYARD, PARK STREET, HATFIELD HERTFORDSHIRE AL9 5NQ  
ERECTION OF 8 X 2 BEDROOM DWELLINGS, 6 X 3 BEDROOM DWELLINGS, 1 X 1 BED  
FLAT AND 2 X CLASS B1 UNITS, FOLLOWING DEMOLITION OF GARAGES**

In respect to your recent telephone conversations with Anthony Downs of Gascoyne Cecil Estates with regard to the planning conditions I enclose this letter and drawings to discharge the conditions. I hope this meets with your approval. If there are queries please do not hesitate to telephone myself on the above number.

1. The development to which this permission relates shall be begun within a period of 5 years commencing on the date of this notice.

Answer: noted

2. The development shall only be carried out in accordance with a landscaping scheme which shall be submitted to and approved in writing by the Local Planning Authority before the development commences. The scheme shall show:-

- (1) which existing trees, shrubs and hedges are to be retained or removed.  
Answer: See enclosed landscaping plan 576B02 Rev B & Existing plan 576B00 Rev B
- (2) what new planting is proposed, together with details of the species, size and method of planting.  
Answer: See enclosed landscaping plan 576B02 Rev B & Existing plan 576B00 Rev B
- (3) what measures are to be taken to protect both new and existing landscaping during and after development. The scheme approved shall be implemented and completed in all respects by not later than the planting season following completion of the development, and any trees or plants which within a period of 5 years from 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

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written consent to any variation.

Answer: See enclosed landscaping plan 576BC02 Rev B & Existing plan 576B00 Rev B

3. Both existing and proposed levels of the ground shall be shown on detailed plans and sections, which include finished floor levels of all buildings on the site. The plans shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development, which shall only be carried out in accordance with the approved plans.

Answer: See enclosed drawings:

576BC02 Rev B  
576BC00 Rev B  
576-013 Rev J  
576-019 Rev C  
576-021 Rev C

4. Prior to the commencement of work on any building hereby approved, the setting-out and finished floor level of each building shall be inspected and approved by the Local Planning Authority in writing.

Answer: noted

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), the provisions of Part 1, Classes A, B, C, D, E and F of Schedule 2 of that Order shall not apply to any dwelling constructed as part of this consent.

Answer: noted

6. The rear-facing first floor bathroom windows of residential units 4 to 7 shall be glazed with obscured glass and shall be fixed incapable of being opened below a height of 1.8 metres above floor level, and shall be retained in that form thereafter.

Answer: See enclosed drawings:

576B307 Rev A  
576B302 Rev C

7. The external access staircase to the one bedroom flat with garage (Unit 8) located to the north of the viaduct shall be enclosed. The design of this enclosure shall be submitted to and agreed in writing by the Local Planning Authority and shall be constructed in accordance with the approved details.

Answer: See enclosed drawings:

576-021 Rev C

8. Other than works to trees as indicated on the tree survey and schedule submitted, no trees shall be felled, lopped, topped, damaged or otherwise destroyed, without the prior consent in writing of the Local Planning Authority.

Answer: noted

9. No part of the development shall be occupied until the associated car parking spaces have been constructed, surfaced and permanently marked out within the site to meet current Highways Authority standards and in accordance with details submitted to and approved in writing by the Local Planning Authority. Such car parking and turning areas so provided shall be maintained as a permanent ancillary to the development and shall be used for no other purpose at any time.

Answer: noted

10. Visibility splays of not less than 2.4m x 33m shall be provided, and thereafter maintained, over land within the applicants control in both directions from the Park Street crossover, within which there shall be no obstruction to visibility between a height of 600 mm and 2.0 m above the carriageway.

Answer: See enclosed landscaping plan 576B02 Rev B

~~11~~ Pedestrian visibility splays of 2m x 2m shall be provided, and thereafter maintained, on both sides of the Park Street entrance to the site, within which there shall be no obstruction to visibility between 600 mm and 2 m above the carriageway.  
Answer: See enclosed landscaping plan 576B02 Rev B

~~12~~ The proposed development to the north of the viaduct shall be constructed to contain the features required of a shared surface road, as per Roads in Hertfordshire A Guide for New Developments.  
Answer: See enclosed landscaping plan 576B02 Rev B

~~13~~ No vehicular traffic, other than emergency vehicles, shall be able to pass under the viaduct. This access shall be controlled by bollard(s), the details of which shall be submitted to and agreed in writing by the Local Planning Authority.  
Answer: See enclosed landscaping plan 576B02 Rev B

~~14~~ Prior to the commencement of development, details of the method of washing of vehicle wheels exiting the site shall be agreed in writing with the Local Planning Authority, in consultation with the Highway Authority, and the agreed method shall be operated at all times during the period of site works.  
Answer: noted

15. On-site parking shall be provided for the use of all contractors, sub-contractors, visitors and delivery vehicles engaged on or having business on site in accordance with details to be agreed in writing with the Local Planning Authority, in consultation with the Highway Authority, before the commencement of on site works.  
Answer: Vehicular wheels will be inspected prior to leaving site and washed down if required

16. Before construction works commence on site, samples of the materials to be used in the external construction of the development hereby permitted, including hard surfaced areas (roads, driveways and car parking areas), shall be submitted to and approved in writing by the Local Planning Authority.  
Answer: See enclosed landscaping plan 576B02 Rev B & photosheet

17. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the buildings are occupied. Development shall be carried out in accordance with the approved details.  
Answer: See enclosed landscaping plan 576B02 Rev B

18. Prior to commencement of development, a detailed site investigation shall be carried out to establish if the site is contaminated, to assess the degree and nature of the contamination present, and to determine its potential for the pollution of the water environment. The method and extent of this site investigation shall be agreed with the Local Planning Authority prior to commencement of work. Details of appropriate measures to prevent pollution of groundwater and surface water, including the provision of monitoring, shall then be submitted to and approved in writing by the Local Planning Authority before development commences. The development shall then proceed in strict accordance with the measures approved.  
Answer: See enclosed interpretive report on Ground investigation

## INFORMATIVES

1. That the applicant is advised that the gateway feature at the entrance of the development site should be designed to meet the requirements of a Shared Surface Road. (Section 1; Part 5; Chapter 6.23 and Appendix 2-1-1-1).  
Answer: This no longer applies as the gateway has been dropped from the scheme

2. The applicant is advised to colour or texture the access road differently to that of the adjoining road (eg block paving) to meet the requirements of a Shared Surface Road. (Section 1; Part 5; Chapter 6.23 and Appendix 2-1-1-1).

Answer: Granite sets delineate the boundary between road surfaces  
See enclosed landscaping plan 576B02 Rev B

3. The applicant is advised that if asbestos cement is found (either bonded with cement or unbonded) it should be dismantled carefully, using water to dampen down, and removed from site. If unbonded cement is found the Health and Safety Executive should be contacted and the asbestos removed by a licensed contractor

Answer: the contractor will be informed of this condition

4. The applicant is advised that there may be habitats or species of conservation concern listed in the UK Biodiversity Action Plan (1994) or species protected by UK or European legislation on site or nearby likely to be affected by the development proposed. Under the Wildlife and Countryside Act 1981 (as amended); birds are protected under Schedule 1, other animals in Hertfordshire (bats, dormice, otter, water vole, great crested newt, adder, grass snake, slow worm, common lizard plus some invertebrates) are protected under Schedule 5 and plants are protected under Schedule 8. In the UK, badgers are protected under the Protection of Badgers Act (1992). Some of the above species are also protected under the Conservation (Natural Habitats & c.) Regulations 1994 which defines 'European protected species of animals. These include all bat species, dormice, otter and great crested newt. Where European protected species are present on a site a Habitat Regulations Licence will be required from the Department of Environment, Food and Rural Affairs (DEFRA) before any works can commence on the development. A Habitat Regulations Licence will only be issued if the applicant can demonstrate that: the development is in the interests of public health and safety or other imperative reasons of overriding public interest including those of a social and economic nature, there is no satisfactory alternative and the development will not be detrimental to the maintenance of the population of the species at a favourable conservation status in their natural range. For information on species and habitats of importance please contact the Hertfordshire Biological Records Centre, c/o Environment, Hertfordshire County Council, County Hall, Pegasus Lane, Hertford, SG13 8DN Tel: 01992 555220 for further advice and assistance

Answer: Following a conversation with Mr Graham Goodhall of Herts Biological records on 14Nov07 – there are no known records of protected species on the site. However the contractor will be informed to be aware of protected species on site.

We trust the above satisfies the relevant conditions stated and look forward to your reply. Please do not hesitate to contact us should you require further information.

Yours Sincerely



Mark Amos

Encs: 2 copies of:

576BC02 Rev B  
576BC00 Rev B  
576-013 Rev J  
576-019 Rev C  
576-021 Rev C  
576B307 Rev A  
576B302 Rev C

CC Anthony Downs – Gascoyne Cecil Estates