



## WELWYN HATFIELD COUNCIL

Council Offices Welwyn Garden City Herts AL8 6AE  
Telephone Welwyn Garden (01707) 357000

### DECISION NOTICE

Ref N<sup>o</sup> S6/0173/97/FP

#### TOWN AND COUNTRY PLANNING ACT 1990

Demolition of existing dwelling, glasshouses and barns and construction of replacement dwelling and garage

at: Warrenwood Cottages, Kentish Lane, Brookmans Park, Hatfield

To:

Peter Newson Associates,  
The Old Reading Room, 32 High Road, Essendon, Hatfield,  
Herts AL9 6HW

For:

Mr & Mrs A. Perryment,  
Warrenwood Cottages, Kentish Lane, Brookmans Park,  
Hatfield, Herts

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 5th March 1997 and shown on the plan(s) accompanying such application, subject to the following conditions:-

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

#### REASON

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

2. No trees shall be felled, lopped, topped, damaged or otherwise destroyed, without the prior consent in writing of the Local Planning Authority.

#### REASON

The existing trees represent an important visual amenity which the Local Planning Authority consider should be maintained.

3. Before any construction works commence on site, full details or samples of the materials to be used in the external construction of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority.



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continued

### REASON

To ensure that the external appearance of the development is not detrimental to the character of the locality.

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.

### REASON

To ensure the satisfactory appearance of the development, and to ensure a satisfactory relationship between features and buildings both on and off the site.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order) the provisions of Part 1, Classes A, B, C and E of Schedule 2 to that Order shall not apply to any dwelling constructed as part of this consent.

### REASON

The site is located within the Metropolitan Green Belt wherein the Local Planning Authority would wish to control future extensions, alterations or the erection of outbuildings.

6. The development shall not be brought into use until the proposed new access has been constructed in accordance with the approved plans and the existing northern access and the footway/verge reinstated to the satisfaction of the Local Planning Authority.

### REASON

In the interests of highway safety and amenity.

7. Any new gates provided shall be set back a minimum of 5 metres from the back of footway and shall open inwards into the site.



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continued

### REASON

So that a vehicle may wait clear of the carriageway or footway while gates are opened or closed.

8. Concurrent with the construction of the southern access, visibility splays of 2.4 x 165 metres to the north and 215 metres to the south shall be provided and permanently maintained in each direction within which there shall be no obstruction to visibility between 0.6m and 2.0m above carriageway level.

### REASON

To provide visibility for drivers entering or leaving the site.

9. The development shall not be brought into use until a properly consolidated and surfaced turning space for cars has been provided within the curtilage of the site.

### REASON

So that vehicles may enter and leave the site in forward gear.

10. The access width shall be 4.8 metres and the kerb radii shall be 6 metres which shall include pram crossings.

### REASON

So that vehicles may enter and leave the site with the minimum of interference to the free flow and safety of other traffic on the highway and for the convenience and safety of pedestrians.

Date : 3rd December 1997.

Signed:   
Chief Planning Officer

## GENERAL NOTE

1. If the applicant wishes to have an explanation of the reasons for this decision it will be given on request and a meeting arranged if necessary.

## DEVELOPMENT SUBJECT TO CONDITIONS

2. If the applicant is aggrieved by the decision of the Local Planning Authority to grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment, in accordance with section 78(1) of the Town and Country Planning Act 1990, within six months of the date of this notice. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are some special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order.
3. If permission to develop land is granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the District Council in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.
4. In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Part IV of the Town and Country Planning Act 1990.

## LISTED BUILDING CONSENT SUBJECT TO CONDITIONS

5. If the applicant is aggrieved by the decision of the Local Planning Authority to grant consent subject to conditions, he may, by notice served within six months of receipt of this notice, appeal to the Secretary of State for the Environment in accordance with section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The Secretary of State has power to allow a longer period for the giving of a notice of appeal and he will exercise his power in cases where he is satisfied that the applicant has deferred the giving of notice because negotiations with the Local Planning Authority in regard to the proposed works are in progress.
6. If Listed Building Consent is granted subject to conditions whether by the Local Planning Authority or by the Secretary of State for the Environment, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any works which have been or would be permitted, he may serve on the District Council, in which the land is situated a Listed Building purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of section 32 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
7. Note 4 above applies.

## ADVERTISEMENTS

8. Advertisements may continue to be displayed after the expiry of the permitted period, subject to the power of the Local Planning Authority to serve notice under Regulation 8 of the Town and Country Planning (Control of Advertisements) Regulations 1992.
9. If the applicant is aggrieved by the decision of the Local Planning Authority to grant consent subject to conditions he may by notice served within one month of receipt of this notice, appeal to the Secretary of State for the Environment in accordance with Regulation 15 of the Town and Country Planning (Control of Advertisements) Regulations 1992. The Secretary of State is not, having regard to the provisions of those Regulations, required to entertain such an appeal if it appears to him that consent for the display of advertisements could not have been granted by the Local Planning Authority otherwise than subject to the conditions imposed by them. The Secretary of State, however, has power to allow a longer period for the giving of a notice of appeal.
10. In certain circumstances a claim may be made against the Local Planning Authority for compensation where as a result of refusal of consent or its grant subject to conditions it is necessary for works of removal to be carried out. The circumstances in which such compensation is payable are set out in section 223 of the Town and Country Planning Act 1990.
11. Under schedule 1(4) of the Town and Country Planning (Control of Advertisement) Regulations 1992, before any advertisement is displayed the permission of the owner of the land or building on which the advertisement is to be displayed must be obtained.

## APPEALS

12. Appeals must be made on a form which is obtainable from the Secretary of State for the Environment, Tollgate House, Boulton Street, Bristol BS2 9DJ (Telephone 0117 987 8000)