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21 September 2020

**TOWN AND COUNTRY PLANNING ACT 1990  
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT  
PROCEDURE) (ENGLAND) ORDER 2015**

Dear Sir/Madam,

**Application Reference:** 6/2020/1851/COND

**Proposed development at:** 36 Salisbury Square Hatfield AL9 5AF

**Proposal:** Submission of details pursuant to condition 3 (sample of materials) 5 (parking scheme) and 6 (glazing scheme and ventilation system) on planning permission 6/2017/1902/FULL (APP/C1950/W/18/3203353)

Thank you for your application requesting approval of the above details reserved by conditions.

Planning permission 6/2017/1902/FULL (APP/C1950/W/18/3203353) was for the change of use of the ground floor of the building from sui-generis to residential (C3) to include the creation of 2 x 1-bedroom and 3 x 2-bedroom flats with external alterations including new fenestration, associated cycle & bin stores, car parking and landscaping.

Condition 3

Condition 3 states:

*'Development shall not begin until samples of all external facing materials have been submitted to and approved by the local planning authority in writing. The relevant works shall be carried out in accordance with the approved sample details'.*

External facing materials are illustrated and annotated on submitted drawing numbers 879\_PL\_120 Revision P1, 879\_PL\_121 Revision P1 & 879\_PL\_122 Revision P1, and mistakenly includes details of proposed external facing materials for the whole building. Dormer windows approved under application 6/2017/1903/FULL are also included.

In addition, the above drawings include a smoke vent (R5) and roof/access smoke ventilation (R6) on the roof of the building which did not form part of the planning permission. The applicant would need to submit a planning application to seek approval for these proposed additions.

The external facing materials relating to the ground floor of the main building and the cycle and bin store are acceptable and approved. All other works and external facing material details included in the submitted drawings are not required by condition 3 and are not relevant to the planning permission.

Please note that in order to fully comply with the requirements of this condition, the relevant works shall be carried out in accordance with the approved sample details.

#### Condition 5

Condition 5 states:

*'Development shall not begin until a scheme which shows the parking spaces allocated to each flat, including visitor parking, has been submitted to and agreed in writing by the local planning authority. The car parking layout and allocation shall be provided in accordance with approved details and retained thereafter'.*

The submitted details do not show the parking spaces allocated to each flat. Insufficient information has therefore been provided and the submitted details are refused.

#### Condition 6

Condition 6 states:

*'Development shall not begin until details of the glazing scheme and ventilation system, necessary to meet the internal noise requirements of BS8233:2014 and to provide an adequate ventilation rate to maintain thermal comfort, have been submitted to and approved in writing by the local planning authority. The applicant shall either instal a cooling/air conditioning system or undertake a SAP 2012 Appendix P assessment of the internal temperature in summer, demonstrating that the windows can be kept shut and that the ventilation alone is capable of keeping the room at a temperature which provides thermal comfort, in line with SAP standards. The development shall not be occupied until the glazing scheme and ventilation system have been constructed in accordance with approved details and retained thereafter'.*

A Noise Intrusion Assessment (by Cole Jarmen, Report 20/0025/R1, 26 March 2020) and Compliance Demonstration (by iTS, Version V1, 27/03/2020) have been submitted. These details fail to demonstrate an adequate ventilation rate to maintain thermal comfort and that the windows can be kept shut and that the ventilation alone

is capable of keeping the room at a temperature which provides thermal comfort, in line with SAP standards.

The following observations are made:

- The noise data presented does not enable separation of environmental noise covered by BS8233, environmental noise not covered by BS8233 and neighbourhood noise sources. Further it was an unattended survey and is therefore of limited value.
- The noise assessment misrepresents guidance on noise and misses critical guidance.
- The stated “mitigation” fails to identify through appropriate algorithms and or table, as found in BS8233 how it achieves the claimed sound reduction but in any event applies incorrect criteria contrary to the condition requirements.
- There is insufficient detail within the mitigation to consider its appropriateness and in particular does not address constructional methods such as isolation nor the levels with windows open. The information provided does confirm the condition criteria is not met.
- Contrary to its conclusions the report has shown excessive noise will arise internally with windows closed or open.
- The noise assessment fails to address the combined mechanical ventilation noise and sources of noise outside the building.

Consequently, the details submitted under this condition are unacceptable and refused.

Should you require any clarification regarding the contents of this letter, please do not hesitate in contacting me at [d.elmore@welhat.gov.uk](mailto:d.elmore@welhat.gov.uk) and I will be pleased to advise you further.

Yours sincerely,



**David Elmore**

**Senior Development Management Officer**