

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

Dear Sir/Madam,

Application Reference: 6/2020/1853/COND

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

Proposal: Submission of details pursuant to condition 1 (sample of materials), condition 2 (glazing scheme and ventilation system) and condition 3 (parking scheme) on planning permission 6/2017/1903/FULL

Thank you for your application requesting confirmation of compliance with the above conditions.

Planning permission 6/2017/1903/FULL was for the erection of 4 front, 4 rear and 2 side dormer windows, 5 front and 5 rear rooflights to facilitate conversion of roof, to include the creation of 2 x 1-bedroom and 2 x 2-bedroom flats with associated parking, cycle store and landscaping.

Condition 1

Condition 1 states:

'No development shall take place until samples of the materials to be used in the construction of the external surfaces of the works hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development must not be carried out other than in accordance with the approved 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 & 879_PL_114 Revision P1 and mistakenly includes details of proposed

external facing materials for the whole building.

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 roof space of the building are acceptable and approved. All other works and external facing material details included in the submitted drawings are not required by condition 1 and are not relevant to the planning permission.

Condition 2

Condition 2 states:

'Prior to the commencement of the development the applicant must submit to, for approval by the Local Planning Authority details of the glazing scheme and ventilation systems required to be installed to meet the internal noise levels within BS8233:2014. The mechanical ventilation system must provide adequate ventilation rate to maintain thermal comfort. The applicant must either install 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 (standards described in SAP). The development must not be carried out other than in accordance with the approved details.'

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.

Condition 3

Condition 3 states:

'The residential development hereby approved must not be occupied until a scheme which shows the 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 as shown on drawing number: 1702_00_105 Revision PL01 and agreed parking allocation must be retained permanently and shall not be used for any other purpose.'

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.

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

Yours sincerely,



David Elmore
Senior Development Management Officer