

**Chris Carter
Assistant Director (Planning)**

Reply To: address as below
Direct Tel: 01707357000
Email: planning@welhat.gov.uk

Mr Barry Reynolds
New Ways

Date: 16 August 2023

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

Dear Mr Reynolds,

Application Reference: 6/2022/2300/COND

Proposed development at: Beadles Volkswagen Van Centre Harpsfield Broadway
Hatfield AL10 9TF

Proposal: Submission of details pursuant to condition numbers - 1 (Construction Management Plan), 5 (Surface Water Strategy), 6 (Surface Water Scheme), 7 (Drainage), 8 (Foundation), 9 (Design Plan), 10 (Accessible Housing Scheme), 11 (Highway Improvement), 12 (Samples), 13 (Hard Landscaping), 14 (Soft Landscaping), 15 (Hard landscaping - roof garden), 16 (external lighting), 17 (Cycle Store), 18 (Cycle Store under-croft/Open air), 19 (Balcony Screens), 20 (Energy & Sustainability Statement), 21 (PV Cells Plan), 22 (Bat & Bird Boxes), 23 (Noise Compliance), 24 (Noise Compliance), 26 - (SuDS), 27 (Access), 28 (EV Charging Points), 29 (Parking), 30 (Bin Stores), 31 (Roof Gardens), on planning permission 6/2020/3222/MAJ

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

Condition 1

As development has commenced, the details reserved by this condition cannot be discharged.

Notwithstanding the above, the details submitted under this condition would not have been discharged as the Construction Management Plan applies plans (on pages 6 & 17) which were not approved.

Condition 5

This is a compliance condition. The details are not required to be discharged.

Condition 6

As development has commenced (excluding demolition works), the details reserved by this condition cannot be discharged.

Notwithstanding the above, the details submitted under this condition would not have been discharged as the submitted Flood Risk Assessment & Drainage Strategy references a ground floor plan which shows a layout which was not approved.

Condition 7

The submitted information clarifies that the scheme does not infiltrate water into the ground. Also, porous/permeable surfaces would be lined. As such, the written consent of the local planning authority is not required to carry out such works. This condition is satisfied.

Condition 8

The details submitted under this condition are unacceptable and refused.

The proposed piling depth finishes at the top of the Lower Sand and Gravel aquifer which is hydraulically connected with the Chalk aquifer below (principal aquifer), and could cause contamination.

Condition 9

As development has commenced (excluding demolition works), the details reserved by this condition cannot be discharged.

Notwithstanding the above, the details submitted under this condition would not have been discharged as they include plans which were not approved.

Condition 10

As development has commenced above ground level (excluding demolition works), the details reserved by this condition cannot be discharged.

Notwithstanding the above, the details submitted under this condition would not have been discharged as they include a first-floor plan of a different layout to that which was approved.

Condition 11

As development has commenced above slab level, the details reserved by this condition cannot be discharged.

Notwithstanding the above, the submitted scheme for the off-site highway improvement works would not have been discharged as the details are not sufficient.

Condition 12

As development has commenced above ground level (excluding demolition works), the details reserved by this condition cannot be discharged.

Notwithstanding the above, the details submitted under this condition would not have been discharged as they are not sufficient. The external surface materials for all elevations have not been provided. The external 3-D view provided also does not detail what external surface material would be used for the terracotta colour between the first to fifth floor.

Condition 13

As development has commenced above ground level (excluding demolition works), the details reserved by this condition cannot be discharged.

Notwithstanding the above, the details submitted under this condition would only have been partially discharged. While part (a) would have been addressed by reason of no gates, walls, fences, or other means of enclosure being proposed, part (b) would not, as the details include a plan with a different layout to that which was approved.

Condition 14

As development has commenced above ground level (excluding demolition works), the details reserved by this condition cannot be discharged.

Notwithstanding the above, the details submitted under this condition would not have been discharged as they are not sufficient. Details of the planting methods and aftercare of the soft landscaping have not been provided and the soft landscaping scheme submitted is different to that which was approved.

Condition 15

As development has commenced above ground level (excluding demolition works), the details reserved by this condition cannot be discharged.

Notwithstanding the above, the details submitted under parts (b) and (c) would not have been discharged for the following reasons:

- The submitted hard landscaping scheme would not provide adequate areas of privacy and seclusion for residents.
- No seating or furniture is included. It is proposed that the wooden planters would also function as seating. This is not acceptable.

Condition 16

As development has commenced above ground level (excluding demolition works), the details reserved by this condition cannot be discharged.

While the condition cannot be discharged, the details have been reviewed and would have been deemed acceptable.

Condition 17

As development has commenced above ground level (excluding demolition works), the details reserved by this condition cannot be discharged.

Notwithstanding the above, the details submitted under this condition would not have been discharged as they do not demonstrate that the 'Josta 2-tier racks' will accommodate the quantity of provision as stated on drawing number 19_386_PL08.

Condition 18

As development has commenced above ground level (excluding demolition works), the details reserved by this condition cannot be discharged.

Notwithstanding the above, the details submitted under this condition would not have been discharged as they include a plan with different cycle store areas to that which was approved.

Condition 19

As development has commenced above ground level (excluding demolition works), the details reserved by this condition cannot be discharged.

While the condition cannot be discharged, the details have been reviewed and would have been deemed acceptable.

Condition 20

As development has commenced above ground level (excluding demolition works), the details reserved by this condition cannot be discharged.

While the condition cannot be discharged, the submitted Energy & Sustainability Statement has been reviewed and would have been deemed acceptable.

Condition 21

As development has commenced above ground level (excluding demolition works), the details reserved by this condition cannot be discharged.

The details explain that PV cells are no longer proposed due to it not contributing to EPC ratings for the apartments and an alternative renewable technology (air source heat pumps being used).

As PV cells are no longer proposed, the condition could not be discharged in any case. The appropriate procedure would be to apply to remove this condition through either a Section 73 or Section 78 application.

Condition 22

As development has commenced above ground level (excluding demolition works), the details reserved by this condition cannot be discharged.

Notwithstanding the above, the details submitted under this condition would not have been discharged as the swift and bat box locations are not suitable.

Condition 23

The details submitted under this condition are not acceptable and cannot be discharged.

Condition 23 cannot be discharged until pre-occupation testing has taken place to demonstrate compliance.

Condition 24

The details submitted under this condition are not acceptable and cannot be discharged.

Condition 24 cannot be discharged until pre-occupation testing has taken place to demonstrate compliance.

Condition 26

Insufficient information has been submitted to discharge this condition. The following information has not been provided:

- As built drawings for site drainage
- A full and final management and maintenance schedule
- Arrangements for adoption and any other measures to secure the operations of the scheme throughout its lifetime.

Condition 27

This is a compliance condition. The details are not required to be discharged.

Condition 28

This is a compliance condition. The details are not required to be discharged.

Condition 29

This is a compliance condition. The details are not required to be discharged.

Condition 30

This is a compliance condition. The details are not required to be discharged.

Condition 31

This is a compliance condition. The details are not required to be discharged.

To conclude: - only the details reserved under Condition 7 have been discharged under this application. Conditions 5, 27, 28, 29, 30 & 31 are compliance conditions and do not require discharging. All other conditions included in this application cannot be discharged and have been 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
Principal Major Development Management Officer