

To: Mr P Griffiths
Planning Potential Ltd
Magdale House
148 Tooley Street
London
SE1 2TU

Important – Planning permission and notices of consent

Compliance with conditions

- Your planning approval or consent is attached. It will contain conditions that you must comply with.
- Please read the conditions and understand their requirements and restrictions, for example submission and approval of details or measures to protect trees.
- Some conditions will require action before you start development and it is imperative that you seek to have these discharged before any work commences.
- Whilst every effort has been made to group conditions logically, it is your responsibility to ensure that you are aware of the requirements and/or restrictions of all conditions.
- If you fail to comply with the conditions this may result in a breach of planning control and this may lead to enforcement action.
- Failure to comply with conditions may also result in the development not being lawful.
- It is in your interests to demonstrate that conditions have been complied with. Failure to do so may cause difficulties if the property is sold or transferred.
- A fee may be payable for each request to discharge conditions.

For advice on any of these matters, please contact the duty planning officer or the case officer at Welwyn Hatfield Borough Council, Campus East, The Campus, Welwyn Garden City, AL8 6AE or by email planning@welhat.gov.uk between 0900 – 1300 daily.

**Notice of Decision
Town and Country Planning Act 1990
Town and Country Planning (Development
Management Procedure) (England) Order 2015**

To: Mr P Griffiths

Application No: 6/2015/1673/VAR

Date of Approval: 22 December 2015

WELWYN HATFIELD BOROUGH COUNCIL, in pursuance of powers under the above mentioned act, hereby GRANT, subject to the development beginning not later than 3 years from the date hereof to: -

Development: Variation of condition 4 (delivery hours) on planning permission S6/2005/0675/DE - Mixed use development of district centre comprising shops, food and drink uses, hotel, health centre, day nursery, 267 residential units including affordable and key worker housing, bus interchange, serving, car parking and landscaping

At Location: Aldi, 11 Parkhouse Court, Comet Square, Hatfield, AL10 9TF

Applicant: Aldi Stores Ltd

Application Date: 28 August 2015

In accordance with the accompanying plans and particulars, subject to the conditions listed below: -

1. The development/works shall not be started and completed other than in accordance with the approved plans and details:

G1838(05) LOCATION PLAN & G1838(05) MP 501 & G1838(05) MP502 & G1838(05) MP 510 & G1838(05) MP 511 & G1838(05) MP 513 & G1838(05) MP 514 & G1838(05) MP 515 & G1838(05) MP 516 & G1838(05) MP 517 & G1838(05) MP 518 (PART) & G1838(05) MP 520 & G1838(05) MP 521 & G1838(05) MP 522 (PART) RECEIVED 31 MAY 2005 & G1838(05) MP 523 & G1838(05) MP 524 RECEIVED 15 AUGUST 2005 & 513-10E & 513_12 & 513_13A & 513_14A & 513-15A RECEIVED 16 AUG 2005 & 513_02M RECEIVED 08 SEPT 2005 & G1838(05) MP 503 REV B & G1838(05) MP 504 REV B & G1838(05) MP 505 REV B & G1838(05) MP 506 REV B & G1838(05) MP 507 REV B & G1838(05) MP 508 REV B & G1838(05) MP 509 REV B received 12 September 2005 & Aldi Delivery Management Plan received and dated 28 August 2015 & 1182-101 Rev. B received and dated 22/12/2015.

REASON: To ensure that the development is carried out in accordance with the approved plans and details.

2. The development shall not be retained other than in accordance with approved means for mitigating noise from commercial uses and bus interchange within the site for the approved flats and hotel as agreed in accordance with condition 1 of permission S6/2005/0675/DE.

REASON: In the interests of the living conditions of the occupants of surrounding units in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005.

3. The development shall not be retained other than in accordance with approved measures for the reduction of noise from external plant and equipment, including extraction units, as agreed in accordance with condition 2 of permission S6/2005/0675/DE.

REASON: In the interests of the living conditions of the occupants of surrounding units in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005.

4. The development shall not be retained other than in accordance with the approved scheme for treating cooking fumes and odours for the duration of the operation of the approved pub, bar, restaurant and hot food outlet as agreed in accordance with condition 3 of permission S6/2005/0675/DE.

REASON: In the interests of the living conditions of the occupants of surrounding units in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005.

5.
 - a) The development shall not be retained other than in accordance with approved scheme for the reduction of noise at the south west boundary of the site as agreed in accordance with condition 4 of permission S6/2005/0675/DE.
 - b) No deliveries, loading or unloading shall take place in the rear service area of the approved family pub and the bar/restaurant shown as 'Unit 1' on the approved Ground Floor Master Plan before 7am or after 11pm on any weekday or before 9am or after 7pm on Sundays.
 - c) No deliveries, loading or unloading shall take place in conjunction with the Aldi supermarket, as outlined in red on submitted Location Plan (scale of 1:1250) attached to this permission, before 6am or after 11pm on any weekday or before 9am or after 7pm on Sundays.

REASON: In the interests of the living conditions of the occupants of surrounding units in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005.

6. The development shall not be retained other than in accordance with the approved scheme for controlling access to the flats and enhancing their security in accordance with condition 5 of permission S6/2005/0675/DE.

REASON: To improve security of residential units in the high density mixed use development in accordance with policy D7 of the Welwyn Hatfield District Plan 2005.

REASON FOR APPROVAL

The decision has been made taking into account, where practicable and appropriate the requirements of paragraphs 186-187 of the National Planning Policy Framework and material planning considerations do not justify a decision contrary to the development plan (see Officer's report which can be viewed on the Councils website or inspected at these offices).



Colin Haigh
Head of Planning

Town and Country Planning Act 1990

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of The Town and Country Planning Act.
- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier. •
- If this is a decision to refuse permission for
 - a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice;
 - a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice;
 - an application for advertisement consent, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of this notice;
 - works in respect to a tree preservation order application, if you want to appeal against your local planning authority's decision then you must do so within 28 days of the date of this notice;
 - a lawful development certificate, there is no time restriction.
- For all other appeals, if you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice. •
- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at www.gov.uk/government/organisations/planning-inspectorate.
- The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for

the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by the Secretary of State.

Purchase Notices

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that the owner can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter I of Part 6 of the Town and Country Planning Act 1990.