

To: Mr D Padalino
DPA (London) Ltd
25 Tudor Hall
Brewery Road
Hoddesdon
EN11 8FP

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 D Padalino

Application No: 6/2015/2174/VAR

Date of Approval: 9 August 2016

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 5 (retain car parking area) on planning permission S6/1998/0272/FP (Part cosmetic mansard and part full mansard incorporating 3 No. flats (amendments to planning permission S6/0986/90/FP))

At Location: 37- 48 Lambs Close, Cuffley, Potters Bar, EN6 4HD

Applicant: c/o DPA (London) Ltd

Application Date: 17 November 2015

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

1. The development shall only be carried out in accordance with a landscaping scheme which shall be submitted to and approved in writing by the Local Planning Authority before the development commences. The scheme shall show:-
 - (i) which existing trees, shrubs and hedges are to be retained or removed;
 - (ii) what new planting is proposed, together with details of the species, size and method of planting;
 - (iii) what measures are to be taken to protect both new and existing landscaping during and after development.

The approved scheme shall be implemented and completed in all respects by not later than the planting season following completion of the development, and any trees or plants which within a period of five years from completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

REASON: To enhance the visual appearance of the development.

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

REASON: To ensure the preservation of trees listed in a Tree Preservation Order.

3. The car parking and garage spaces shown on Drawing No. 2, forming part of this permission, and with the exception of the area of the garages G26 to G36 and 13 open parking spaces adjacent to the south boundary of the site, shall be provided and marked out within one month of the date of this permission and shall subsequently be retained solely for that purpose for the use of residents of Blocks A, B, C and D of Lambs Close.

The car and cycle parking spaces shown at the south end of Lambs Close on drawing no 1139-301/revB forming part of this permission shall be provided and marked out for the use of residents of Blocks A, B, C and D Lambs Close and of the proposed flats in planning permission No. 6/2015/2173/FP prior to the first occupation of the development thereby permitted and shall subsequently be retained solely for that purpose.

REASON: To ensure that sufficient on-site car parking is provided in the interest of highway safety.

4. Prior to the laying out of the car parking spaces, details of the three proposed freestanding secure and weatherproof cycle storage facilities shall be submitted and approved by the Local Planning Authority. The cycle stores shall not be implemented other than in accordance with those details and shall be installed and made available for use prior to the first use of the car parking spaces hereby permitted. They shall subsequently be retained in that condition.

REASON: To ensure that sufficient on-site cycle parking is provided in accordance with policies of the National Planning Policy Framework 2012 and Policies M6 and M14 of the Welwyn Hatfield District Plan 2005 and the Supplementary Planning Guidance Parking Standards 2004.

POSITIVTE AND PROACTIVE STATEMENT

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).

Informative(s)

1. This planning permission should be read in conjunction with the S106 Agreement dated 9 August 2016.



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.