

To: Mr N Wellstead  
Absolute Interiors  
Riverside View  
Newham Road  
Truro  
TR1 2SU

## **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](mailto: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 N Wellstead

**Application No:** 6/2015/2234/VAR

**Date of Approval:** 19 May 2017

**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 within the original permission to which this application varies: -**

**Development:** Variation of conditions 2 (Plans) and 4 (Materials) of planning permission S6/2014/1443/FP - Erection of new public house and associated works

**At Location:** Land off Comet Way, Hatfield, AL10 0XY

**Applicant:** JD Wetherspoon

**Application Date:** 23 November 2015

In accordance with the conditions listed below: -

1. Notwithstanding the provisions of Article 3 of the Town and Country Planning Use Classes Order 1987, and Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any orders revoking or re-enacting these Orders) this permission shall only permit the use of the unit as a Public House (Class A4) and for no other use or purpose unless otherwise agreed on application to the Local Planning Authority.

REASON: To enable the Local Planning Authority to fully consider the effects of development normally permitted by these orders, in the interests of the wider masterplanning of the Hatfield Aerodrome Site and Policy HATER2, the adopted Hatfield Aerodrome Supplementary Planning Guidance and section 2 of the National Planning Policy Framework.

2. Any trees or plants which within a period of five years from the 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 approval to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development in accordance with Policy D8 of the Welwyn Hatfield District Plan 2005.

3. The noise control (physical and managerial) recommendations produced by Spectrum Acoustic Consultants in its reported dated November 2014, implemented prior to commencement of the operation of the premises, are to be maintained in accordance with the said report.

REASON: In the interests of the residential amenity of properties in the surrounding area in accordance with the National Planning Policy Framework and Policies D1, R19 and R20 of the Welwyn Hatfield District Plan 2005.

4. There shall be no deliveries or collections to or from the premises between the hours of 20.00 and 08.00 the following morning.

REASON: In the interests of the residential amenity of properties in the surrounding area in accordance with the National Planning Policy Framework and Policies D1, R19 and R20 of the Welwyn Hatfield District Plan 2005.

5. There shall be no external handling of waste bottles between the hours of 20.00-09.00.

REASON: In the interests of the residential amenity of properties in the surrounding area in accordance with the National Planning Policy Framework and Policies D1 and R19 of the Welwyn Hatfield District Plan 2005.

6. The development hereby approved shall not be constructed and maintained other than in accordance with details within the approved Lighting Scheme as shown on plan 7127-200-I, received and dated 02 December 2014, unless otherwise approved in writing by the Local Planning Authority.

REASON: In the interests of the residential amenity of properties in the surrounding area in accordance with the National Planning Policy Framework and Policies D1 and R19 of the Welwyn Hatfield District Plan 2005.

#### DRAWING NUMBERS

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

<b>Plan Number</b>	<b>Revision Number</b>	<b>Details</b>	<b>Received Date</b>
7127 - 200	V	Site Location Plan and Proposed Floorplans	23 November 2015
7127 - 202	K	Proposed Elevations	23 November 2015
7127 - 433	A	Rear Gate Goal Post Detail	23 November 2015
7127 - 430	F	Landscaping and Acoustic Fence	23 November 2015
7127 - 431	—	Exterior Shelter	23 November 2015
7127 - 432	A	Boundary Wall and Railing Detail	23 November 2015

7127 - 434

Railing and gate detail  
between beer gardens

23 November 2015

220914/001/ B  
SJT

Landscape Proposals

23 November 2015

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

#### POSITIVE 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 Council's 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](http://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.