

To: Mr I Brownjohn
Estates Bursar
Queenswood School
Shepherds Way
Brookmans Park
Hatfield
AL9 6NS

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 (Tree Preservation
Order) Regulations 2012
Approval of Permission for Development**

To: Mr Brownjohn

Application No: 6/2016/0043/TPO

Date of Approval: 12 April 2016

WELWYN HATFIELD BOROUGH COUNCIL, in pursuance of powers under the above mentioned act, hereby GRANT, subject to the development beginning not later than 2 years from the date hereof to: -

Development: Various works (schedule attached) to include felling, crown reduction, monolithing and cable bracing on oak, sweet chestnut, horse chestnut, cherry, birch, lime, tulip tree, rowan, maple, beech, apple, willow pine, larch and poplar covered by TPO 205 (2016) W1

At Location: Queenswood School, Shepherds Way, Brookmans Park, Hatfield, AL9 6NS

Applicant: Mr I Brownjohn

Application Date: 11 January 2016

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

1. The works hereby approved shall be undertaken in accordance with the British Standard 3998:2010 (Tree Work) and by an appropriately qualified person.

REASON: To ensure that any works undertaken comply with arboricultural best practice.

2. No works to the tree(s) hereby approved shall commence until details of one suitable replacement tree for T6 Larch have been submitted to and approved in writing by the Local Planning Authority. The tree shall have a minimum girth of 8-10cm circumference and shall be planted within 10 metres of T3s location in the next available planting season (November-February) in accordance with the British Standard 8545:2014 (Trees: from nursery to independence in the landscape – Recommendations) following the works hereby approved. Subsequently, the approved replacement shall not be planted, other than in accordance with the approved details.

REASON: A replacement tree is required given the current amenity value of the tree(s) in accordance with the requirements of TPO3 W30.

3. Crown reductions, hereby permitted, which remove more than 20% of the crown shall only be carried out during winter (November to February, inclusive) or high summer (July to August inclusive) and at no other time.

REASON: To maintain the character and appearance of the area in accordance with Policies GBSP2, D1, D2, D8 and R17 of the Welwyn Hatfield District Plan 2005.

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

Tree location plan received and dated 11 January 2016.

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

Informative(s)

1. Deadwood is an important feature within woods as so much wildlife lives and thrives on it and in it. Caution should be taken with trees which have horizontal or vertical cracks greater than pencil thickness or with large plates of peeling bark, as these are ideal roosts for bats. Bats are a European Protected Species. Actions which would comprise an offence under Regulation 41 of the Conservation of Habitats and Species Regulations 2010 require consent from Natural England prior to any works being undertaken.
2. Following reduction, there should still be a strong framework of healthy small-diameter branches and twigs (leaf bearing structure), capable of producing a dense leaf cover during the following growing season. A crown should normally be reduced in proportion to its original shape, so as to avoid altering the balance of the tree as a whole. (BS3998:2010 Tree work Recommendations section 7.7.)



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.