

To: Mr S Hancock
Hancock Architecture Ltd
First Floor Offices
Unit 47
The Shipyard Estate
Brightlingsea
CO7 0AR

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 S Hancock

Application No: 6/2016/1857/VAR

Date of Approval: 27 April 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 condition 1 (plans) on planning permission 6/2015/2333/FULL

At Location: Land behind and adjacent to 17 - 17A Station Road, Cuffley, Potters Bar, EN6 4HX

Applicant: Mr T Bambridge

Application Date: 21 October 2016

In accordance with the conditions listed below: -

1. The development/works shall not be started and completed other than in the following materials:
Brickwork – walls Chiltern 5 tones buff colour, soldier courses on north elevation rustic blue;
Roof tile – Lightweight cementaceous tile - Marley eternit turf brown or flame brown;
Mortar, detailing, guttering, soffits, window frames and other external decorations shall match the adjacent building in Maynard Place in relation to colour and texture;
Shopfront at ground floor: Powder Coated Aluminium - grey.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with the National Planning Policy Framework and Policies D1 and D2 of the Welwyn Hatfield District Plan 2005.

2. Prior to the first occupation of the development hereby permitted the hard landscaping plan on approved plan 0/A000/LP/011RevA shall be implemented. The on-site car parking areas shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and shall be retained thereafter.

REASON: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted and in the

interests of highway safety in accordance with Policies D1 and D8 of the Welwyn Hatfield District Plan 2005.

3. The use of the approved A5 premises must operate only between the hours of 11:00 to 23.00 Sunday to Thursday, and from 11:00 to 24.00 on Fridays and Saturdays and no customer is permitted to be on the premises outside of these times.

REASON: To protect the residential amenity of adjoining occupiers in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005.

4. No deliveries to the approved A5 premises shall take place outside the hours of 07.00 and 21.00 on Monday to Saturday and 10.00 to 14.00 on Sundays.

REASON: In the interests of neighbouring amenity, in accordance with Policies D1 and R19 of the Welwyn Hatfield District Plan 2005 and paragraph 17 of the National Planning Policy Framework

5. Prior to first occupation of the A5 unit a noise report shall be submitted to and approved in writing by the Local Planning Authority. The report shall include details of a survey of the existing environmental noise in the area and an assessment of the noise generated by any proposed kitchen air handling system (including a BS4142 (2014) assessment of commercial noise). An appropriate mitigation scheme shall be submitted with this noise report for the approval of the Local Planning Authority. This must incorporate an appropriate scheme demonstrating that the kitchen air handling system, including noise and odour details, is in accordance with the DEFRA "guidance on the control of odour and noise from commercial kitchen exhaust systems" and BS4142 (2014). Subsequently, the kitchen air handling system shall be implemented in accordance with the approved details and shall be retained thereafter.

REASON: In the interests of neighbouring amenity in accordance with Policies D1 and R19 of the Welwyn Hatfield District Plan 2005.

6. No development shall commence until the new access serving the development is completed in accordance with the approved plan drawing number 0/A100/CN/001 Rev A1 and is constructed to the specification of the Local Planning Authority.

REASON: To ensure the provision of an access appropriate for the development in the interests of highway safety and convenience in accordance with policy D1 of the Welwyn Hatfield District Plan 2005.

7. Notwithstanding the submitted details, the proposed private access shall be maintained in perpetuity at a minimum width of 4.1 metres with a carriageway width of 3.8m for its length and shall be constructed perpendicular to the highway carriageway for a minimum length of 10 metres as measured from the near edge of the highway carriageway.

REASON: In the interest of highway safety and traffic movement in accordance with policy D1 of the Welwyn Hatfield District Plan 2005.

8. The first and second floor windows on the northern elevation of the proposed building shall be glazed with obscured glass and shall be fixed so as to be incapable of being opened below a height of 1.8 metres above floor level, and shall be retained in that form thereafter.

REASON: To protect the residential amenity of adjoining occupiers in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005.

9. Details of any external lighting proposed in connection with the development hereby approved, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The development shall not be carried out other than in accordance with the approved details.

REASON: In the interests of the visual amenities of the area in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005.

DRAWING NUMBERS

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

| Plan Number | Revision Number | Details | Received Date |
|--------------------|------------------------|----------------------------------|----------------------|
| 0/A000/LP/0 01B | A | Location Plan | 21 October 2016 |
| A/A200/EX/ 001 | | Existing Elevations | 21 October 2016 |
| 0/A000/LP/0 11 | A | Parking Plan | 29 October 2016 |
| 0/A200/PR/ 006 | A | Front Elevation - Perspective | 1 November 2016 |
| 0/A100/CN/ 001 | A1 | Ground Floor Plans | 1 November 2016 |
| 0/A100/CN/ 002 | A1 | First Floor Plans | 1 November 2016 |
| 0/A100/CN/ 003 | A1 | Second Floor Plans | 1 November 2016 |
| 0/A200/CN/ 011 | A1 | SECTION A-B | 1 November 2016 |
| 0/A200/CN/ 012 | A1 | SECTION C-E-F | 1 November 2016 |
| 0/A200/CN/ 013 | A1 | SECTION G | 1 November 2016 |
| 0/A200/PR/ 002 | B | East Elevation (Rear) | 1 November 2016 |

| | | | |
|---------------|---|--|-----------------|
| 0/A200/PR/003 | B | South Elevation (Side) | 1 November 2016 |
| 0/A200/PR/001 | B | West Elevation (Front) | 1 November 2016 |
| 0/A200/PR/004 | B | North Elevation (Side) | 1 November 2016 |
| 0/A000/LP/004 | | Site Block Plan | 2 February 2017 |
| | | Construction Management Plan Information. Email 8 March 2017 | 8 March 2017 |

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).

Informative(s)

1. The development will involve the numbering of properties and naming new streets. The applicant **MUST** contact Welwyn Hatfield Borough Council, Transportation (Lorraine Davis 01707 357546 before any name or number is proposed. This is a requirement of the Public Health Act 1875 and Public Health (Amendment) Act 1907.

INF Other Legislation

2. Where works are required within the public highway to facilitate the new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website:
<http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

3. The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.
4. It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.
5. The applicant is advised that all areas marked on the plan associated with this development will remain unadopted and the developer should put in place a permanent arrangement for long term maintenance. At the entrance of the new estate the road name plate should indicate that it is a private road to inform purchasers of their future maintenance liabilities. Further information is available via the website: <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.



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.