

To: Mr A Ward
16 - 18 Howard Business Park
Howard Close
Waltham Abbey
EN9 1XE

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
Approval of Permission for Development**

To: Mr Ward

Application No: 6/2016/2571/HOUSE

Date of Approval: 9 February 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 hereof to: -

Development: Erection of outdoor swimming pool with plant room following removal of Douglas Fir (T3) and Lime (T4) trees covered by TPO393

At Location: Lake View Leggatts Park Great North Road Little Heath Potters Bar EN6 1NZ

Applicant: Mr P Wilson

Application Date: 15 December 2016

In accordance with the conditions listed below: -

1. One Pinus sp., Cedrus libani, Sequoiadendron sp. or Sequoia sp. (with a minimum rooting volume of 125l) shall be planted in a similar 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.

REASON: Replacement trees are required given the current amenity value of the tree(s) and consent is only given for the works because of the declining health of tree TPO393 T3 fir in accordance with Policy R17 of the Welwyn Hatfield District Plan 2005

2. A Tree Protection Plan and Arboricultural Method Statement shall be submitted to the Local Planning Authority and approved in writing before any works commence on site, including demolition. These documents should comply with BS5837:2012 (Trees in relation to design, demolition and construction - Recommendations) or state why they do not.
The statement must include:
 - a) a plan showing the areas of on-site trees, or parts of trees growing from adjacent sites, to be protected and fencing in accordance with the relevant British Standard and to identify areas where no chemical or materials or equipment shall be stored, mixed or prepared, no fires or site washings, within the RPA of the tree or under the canopy spread whichever is the greater
 - b) specify any other means needed to ensure that all of the trees to be retained will not be harmed during the development, including by damage to their root system, directly or indirectly.

c) confirm that no excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall not take place within any area designated as being fenced off or otherwise protected in the approved scheme.

d) explain how the protection will be implemented, including responsibility for site supervision and control.

The development shall be carried out only in accordance with the approved documents, unless the Local Planning Authority has given prior written consent to any variation. Trees on or adjacent to the site must be protected in accordance with the agreed statement throughout the period of development. The fencing or other works which are part of the approved Tree Protection Plan shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials have been removed from the site, unless the prior approval of the Local Planning Authority has first been sought and obtained

REASON: To protect the visual amenity value of the landscaping, and the biodiversity value of the habitat within the site in accordance with Policies R11, R17 and D8 of the Welwyn Hatfield District Plan 2005.

DRAWING NUMBERS

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
16 1000-2	B	Proposed Location, Block, Elevations and Floor Plans	12 December 2016
16 1000-5A		Existing Landscaping Plan	15 December 2016

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)

This permission does not convey any consent which may be required under any legislation other than the Town and Country Planning Acts. Any permission required under the Building Regulations or under any other Act, must be obtained from the relevant authority or body e.g. Fire Officer, Health and Safety Executive, Environment Agency (Water interest etc. Neither does this permission negate or override any private covenants which may affect the land.



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 12 weeks in the case of a householder appeal of the date of this notice, whichever period expires earlier. •
- As 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;
- 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.