

To: Mr R Moxon  
Arlington Business Parks GP Limited  
2 Waterside Drive  
Theale  
Reading  
RG7 4SW

## **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  
Approval of Permission for Development**

To: Mr R Moxon

**Application No:** 6/2017/0624/MAJ

**Date of Approval:** 3 October 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 a 3 storey building for B8 (storage and distribution) (4,915 sq metres, gross external) and B1 (office/light industrial) (1,797 sq metres, gross external) use, together with 100 car parking spaces, 10 cycle parking spaces, boundary treatment, landscaping, lighting and access.

**At Location:** Plot 5000, Hatfield Business Park, Hatfield, AL10 9EZ

**Applicant:** Mr R Moxon

**Application Date:** 12 April 2017

In accordance with the conditions listed below: -

1. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the buildings hereby granted have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented using the approved materials and subsequently, the approved materials shall not be changed.

**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. During excavation works the developer shall take account of any changes in ground conditions such as colour variations, any odour or liquid/solid substances encountered. If significant visual or olfactory evidence of contamination is discovered during development it shall be fully assessed and an appropriate remediation scheme shall be submitted to the Local Planning Authority for written approval. Before any part of the development hereby permitted is occupied the developer shall provide written confirmation that all works were completed in accordance with the revised remediation scheme.

**REASON:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and others offsite in accordance with Policies R2 and R7 of the Welwyn Hatfield District Plan 2005.

3. No development shall take place until:

(i) There has been submitted to and approved in writing by the Local Planning Authority, an operations strategy including details of the internal and external activities proposed at the site, the hours of operation of these activities as well as details of sound insulation and attenuation measures to be undertaken to insulate from noise associated with these activities;

(ii) Upon first occupation, the approved sound insulation and attenuation scheme shall be implemented;

(iii) Following implementation of the scheme, a further report detailing the performance of that scheme shall be submitted within 6 months to the Local Planning Authority following occupation and approved in writing by the Local Planning Authority;

(iv) Should the report submitted under (iii) not be approved, or if the internal and/or external activities at the premises should change, the process from (i) above shall be repeated until a satisfactory level of noise attenuation is achieved. Any further report submitted under this part shall be within 6 months of either the decision of the Local Planning Authority or within 6 months of internal and/or external activities changing.

The development shall not be carried out other than in accordance with the approved scheme.

REASON: To protect the residential amenity of nearby occupiers in accordance with Policies R19 & D1 of the Welwyn Hatfield District Plan 2005.

4. No development shall take place/commence until an Archaeological Written Scheme of Investigation has been submitted to and approved in writing by the local planning authority. The scheme shall include an assessment of archaeological significance and research questions; and:

a) The programme and methodology of site investigation and recording;

b) The programme and methodology of site investigation and recording as required by the evaluation;

c) The programme for post investigation assessment;

d) Provision to be made for analysis of the site investigation and recording;

e) Provision to be made for publication and dissemination of the analysis and records of the site investigation;

f) Provision to be made for archive deposition of the analysis and records of the site investigation;

g) Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.

The development must not take place other than in accordance with the approved programme of archaeological works set out in the Written Scheme of Investigation

REASON: To ensure adequate opportunity is provided for archaeological research on this historically important site. To enable the inspection of the site by qualified persons for the investigation of archaeological remains in accordance with a written scheme of investigation in accordance with Policy R29 of the Welwyn Hatfield

District Plan 2005 and the National Planning Policy Framework. To ensure the appropriate identification, recording and publication of archaeological and historic remains affected by the development.

5. The development shall not be occupied/used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved and the provision made for analysis and publication where appropriate.

REASON: To ensure adequate opportunity is provided for archaeological research on this historically important site. To enable the inspection of the site by qualified persons for the investigation of archaeological remains in accordance with a written scheme of investigation in accordance with Policy R29 of the Welwyn Hatfield

District Plan 2005 and the National Planning Policy Framework. To ensure the appropriate identification, recording and publication of archaeological and historic remains affected by the development

6. All landscaping hereby approved shall be carried out in the first planting and seeding seasons following the first occupation of the building: and any plants which within a period of 5 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. All landscape works shall be carried out in accordance with the guidance contained in British Standards 8545: 2014.

REASON: To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development in accordance with Policies D2 and D8 of the Welwyn Hatfield District Plan 2005.

7. Prior to the first occupation of the development hereby permitted the proposed on-site car and cycle parking / servicing / loading, unloading / turning areas shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use only.

REASON: To ensure the permanent availability of the parking /manoeuvring area, in the interests of highway safety.

8. Prior to first occupation of the development, the cycle parking shall be provided in accordance with the approved details and retained thereafter.

REASON: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with Policies M6 and M14 of the Welwyn Hatfield District Plan 2005

9. Prior to first occupation of the development, the bin store shall be provided in accordance with the approved details and retained thereafter, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure a satisfactory standard of refuse and recycling provision and to protect the amenity of adjoining and future occupiers in accordance with Policy R5 of the Welwyn Hatfield District Plan 2005.

10. The development hereby approved shall be carried out in accordance with the Flood Risk Assessment & Drainage Strategy carried out by Baynham Meikle Partnership Ltd, dated March 2017. Any departure from this approved document must be submitted to the Local Planning Authority and agreed in writing.

REASON: To prevent flooding by ensuring the satisfactory disposal and storage of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants in accordance with the National Planning Policy Framework 2012.

11. The development shall not be brought into use until petrol/oil interceptors and treatment devices such as trapped gullies and catchpit manholes have been fitted in all car parking/washing/repair facilities.

REASON: In the interests of the water environment and to prevent pollution of ground water and silt ingress into the drainage system in accordance with policies R2 and R7 of the Welwyn Hatfield District Plan 2005.

12. Prior to the commencement of development, a scheme for the provision of fire hydrants (served by mains water supply) shall be submitted to and approved in writing by the Local Planning Authority. The development must not be carried out other than in accordance with the approved scheme and the building shall not be occupied until the hydrants serving the building has been provided and are fully operational.

REASON: To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire in the interests of public safety in accordance with the National Planning Policy Framework 2012

#### DRAWING NUMBERS

13. 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>
6050-087	B	Proposed Site Layout Plan	11 August 2017
6050-086		Block Plan	27 March 2017
1178-101	C	Vegetation Retention and Removal Plan	27 March 2017
1178-201	D	Planting Plan	27 March 2017
6050 - 098		Existing Site Location Plan	7 April 2017
6050 - 088	A	Proposed Building Plan	7 April 2017
6050 - 089	A	Proposed Office ground and first floor plan	7 April 2017
6050 - 090	A	Proposed Office second floor plan	7 April 2017
6050 - 091	A	Proposed Roof plan	7 April 2017
6050 - 104		Proposed Elevations	11 August 2017
6050 - 093	A	Proposed GA Sections	7 April 2017
6050 - 094	A	Proposed Gates	7 April 2017
6050 - 095	B	Proposed Cycle Shelter	11 August 2017
6050 - 096	A	Proposed Storage and Bin Store	7 April 2017
106	B	Proposed Car Parking & Drainage Plan	7 April 2017
EDS 07-0102.01	A	Lighting layout	7 April 2017
6050-103		CATB Office Plans Ground Floor	11 August 2017
1178-301	C	Paving Plan	27 March 2017
17002-KME-SK-E-00-00-E01	3	External Lighting Layout and Levels Plan	27 March 2017
		Landscape Design & Access Statement	5 July 2017

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

1. 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. 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](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.

## WHY HERTFORDSHIRE BUILDING CONTROL?



Hertfordshire Building Control are owned by seven local authorities in Hertfordshire. In effect, as a resident in Hertfordshire, you own Hertfordshire Building Control. Any profit we make is returned to those local authorities who reinvest it into our communities, which you as a resident will benefit from. Therefore, by using our services you benefit from our experienced and knowledgeable team of surveyors, and also from the investment made in the community by Local Authorities.

Being accountable to the public in this way means that we will not be compromised by people or organisations, and when things go wrong - for example buildings becoming dangerous as a result of poor building practices and improper inspections - we are the people who are called in to ensure that the area is made safe and further losses minimised.

Use Hertfordshire Building Control early on in your project to **prevent** such occurrences rather than having us being called in to **cure** them.

## WHAT HERTFORDSHIRE BUILDING CONTROL OFFERS:

- A truly independent service working on behalf of the property owner and accountable to the residents of Hertfordshire;
- Surveyors with the skills and experience to lead the compliance process ensuring that your property meets the standards required by Building Regulations
- A team with the capacity to provide a responsive service, ensuring that your project will be inspected when it needs to be and will not be held up;
- The technology to increase surveyor time on site and improve our service to our customers;
- A one stop shop for all related activities including air testing, acoustic testing, engineering and SAP calculations and warranties;
- A company that returns 100% of its profits back to Local Authorities for investment in the community.

## NEXT STEPS

Contact us as early as possible to make sure we can help you through the process. If you are sure about the type of building application you need, you can download the forms online at [www.hertfordshirebc.co.uk](http://www.hertfordshirebc.co.uk)

If you have any concerns or questions then please call us on **020 8207 7456** or email [buildingcontrol@hertfordshirebc.co.uk](mailto:buildingcontrol@hertfordshirebc.co.uk)

Hertfordshire Building Control  
Hertsmeare Civic Offices  
Elstree Way  
Borehamwood  
Hertfordshire  
WD6 1WA

020 8207 7456  
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## HERTFORDSHIRE BUILDING CONTROL

PROTECTING YOUR INTERESTS BY  
ENSURING QUALITY BUILDINGS

020 8207 7456  
[www.hertfordshirebc.co.uk](http://www.hertfordshirebc.co.uk)

HERTFORDSHIRE  
BUILDING CONTROL





### WHAT IS BUILDING CONTROL?

Building Control ensures that architects, builders, and other professionals in the construction industry adhere to the Building Regulations when designing and building structures. The Building Regulations set the standards for the design and construction of buildings, to ensure that they are safe, accessible and energy efficient.

### DOES MY PROJECT NEED BUILDING CONTROL APPROVAL?

Projects that involve extensions, structural changes, loft or garage conversions, or changes to electrical wiring will - in the vast majority of cases - need Building Control certification. It is a legal requirement.

To check whether your project requires building control approval please call one of our qualified surveyors on **020 8207 7456** who will be happy to advise you. Or contact us at the following email address [buildingcontrol@hartfordshirebc.co.uk](mailto:buildingcontrol@hartfordshirebc.co.uk). Alternatively, there is a lot of useful advice contained on our website: [www.hartfordshirebc.co.uk](http://www.hartfordshirebc.co.uk).

### WHY DO I NEED BUILDING CONTROL?

There is a legal requirement that work carried out on buildings including alterations, extensions and loft conversions are inspected and certified by an authorised Building Control body. Building Control protects the interests of the property owner ensuring that architects and builders adhere to the standards required in the Building Regulations. Sadly, there are a number of rogue operators who will cut corners to save themselves money and in doing so cause buildings to be unsafe, difficult to access or exit, and energy inefficient. The building control surveyor is there to ensure that standards are adhered to and to certify the work carried out. This is not only important for you when living in your property but also when you come to sell it, as it could delay or prevent a sale if the appropriate certification has not been completed.

### IS THIS DIFFERENT FROM PLANNING?

Building Control is separate from planning which deals with the appearance of buildings and how they fit into their environment. Your project may also need planning consent, which is a different process.

You may be receiving this advice note because you have submitted plans to your Local Authority planning department; if not you will need to contact them to discuss planning requirements. Links to contact Local Authority Planning departments are on our website.

### WHAT DO BUILDING CONTROL SURVEYORS DO?

Building Control Surveyors work on behalf of the property owner and with architects, builders and other construction professionals to lead the compliance process, certifying that buildings conform to Building Regulations. The mission of Hertfordshire Building Control is to ensure quality buildings and add value for our customers and communities by leading the compliance process. Essentially the surveyor protects the interests of the property owner and should therefore be independent of the architect and/or builder. Make sure that it is you and not your builder or architect who selects your Building Control provider, or that you have carried out the necessary due diligence.