

To: Ms M Clear
Clear Architects
The Studio
38 Church Hill
Loughton
IG10 1LA

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: Ms M Clear

Application No: 6/2017/1286/FULL

Date of Approval: 12 September 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: Change of use of first floor from residential (C3) to public house (A4).

At Location: The Sun Inn Judge's Hill Northaw Potters Bar EN6 4NL

Applicant: Mr Lyons

Application Date: 13 June 2017

In accordance with the conditions listed below: -

1. No development shall take place until samples of any new materials to be used in the construction of the external surfaces of the building 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. No development shall take place until full details on a suitably scaled plan of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

The landscaping details to be submitted shall include:

- (a) means of enclosure and boundary treatments
- (b) car parking layout and markings
- (c) hard surfacing, other hard landscape features and materials
- (d) existing trees, hedges or other soft features to be retained and a method statement showing tree protection measures to be implemented for the duration of the construction

(e) planting plans, including specifications of species, sizes, planting centres, number and percentage mix, and details of seeding or turfing

(f) details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife

(g) management and maintenance details

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 in accordance with Policies GBSP, D2 and D8 of the Welwyn Hatfield District Plan 2005.

3. All agreed landscaping comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the completion of the development, or in agreed phases whichever is the sooner: 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 GBSP2, D2 and D8 of the Welwyn Hatfield District Plan 2005.

4. The area set aside for car parking shall be laid out surfaced and marked out, in accordance with the approved plans before the use hereby permitted is commenced. The spaces shall be retained permanently thereafter for the free parking of vehicles for customers/occupiers of the development permitted and shall not be used for any other purpose.

REASON: To ensure that the spaces are provided prior to the occupation of the units in the interests of highway safety in accordance with the National Planning Policy Framework.

5. The use hereby permitted shall not commence until a scheme for the provision of secure and weatherproof cycle parking for three bicycles and powered two wheel vehicles on site has been submitted to and approved in writing by the Local Planning Authority. The use hereby permitted shall not commence until the approved scheme has been implemented.

REASON: In order to ensure that there is adequate provision for secure cycle and powered two wheeler accommodation within the application site, encouraging alternative modes of transport in accordance Policies M6 and M8 of the Welwyn Hatfield District Plan 2005.

6. Prior to the commencement of the use hereby permitted, a visibility splay measuring 43m shall be provided to the east and unobstructed to the junction

of Northaw Road West and Vineyards Road, when measured 2.4m back from the carriageway and such splays shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

REASON: In the interests of highway safety.

7. Prior to the first use of the development hereby permitted the vehicular access shall be provided and thereafter retained at the position shown on the approved plan (drawing number 304-PL-02/B) in accordance with a detailed scheme to be agreed in writing with the Local Planning Authority. Arrangement shall be made for the surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

REASON: To ensure satisfactory access into the site to avoid carriage of extraneous material or surface water from or onto the highway.

8. Vehicular and pedestrian and cyclist access to and egress from the adjoining highway shall be limited to the access points shown on Drawing No 304-PL-02/B only. Any other access shall be permanently closed and the footway/highway verge shall be reinstated in accordance with a detailed scheme to be agreed with the Local Planning Authority concurrently with the bringing into use of the new access.

REASON: In the interests of highway safety.

9. The change of use hereby permitted shall not be implemented until a Traffic Regulation Order for "no waiting" restrictions abutting the site has been promoted by the Highway Authority.

REASON: In the interests of highway safety.

10. Prior to the commencement of the use hereby permitted, the applicant shall submit for approval to the Local Planning Authority details relating to noise from plant and equipment (including kitchen extractors) to be installed at the premises with evidence in the form of an acoustic report showing that noise emissions from the plant and equipment will be 10dB (L_{aeq}) below the background noise level (LA₉₀) at the nearest residential properties (using the methodology outlined within BS4142:2014). The approved details shall then be implemented and retained thereafter and noise emissions from plant and equipment shall not exceed the levels above.

REASON: To protect the amenity of residents in nearby residential properties further to Policy R19 of the Welwyn Hatfield District Plan 2005.

11. The premises shall not be occupied until details of any air ventilation, extraction and odour control systems have been submitted to and approved in writing by the Local Planning Authority. Such details must include the height, position,

design and materials of any chimney or extraction vent to be provided in connection with the development.

The proposed system will need to adhere to the DEFRA Guidance on the Control of Odour and Noise from Commercial Kitchen Extract Systems. No part of the development shall be occupied until the facilities have been provided in accordance with the approved details and shall be retained thereafter.

REASON: To protect the amenities of the occupiers of residential accommodation in the vicinity further to Policy R18 of the Welwyn Hatfield District Plan 2005.

12. No live music shall be played or sound reproduction or amplification equipment (including public address systems, loudspeakers, etc.) installed or used, which is audible outside the unit or from the nearest residential properties.

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

13. No works shall take place on the site until a 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:
- a) a programme and methodology of site investigation and recording;
 - b) a programme for post investigation assessment;
 - c) provision to be made for analysis of the site investigation and recording;
 - d) provision to be made for publication and dissemination of the analysis and records of the site investigation;
 - e) provision to be made for archive deposition of the analysis and records of the site investigation; and
 - f) nomination of a competent person /organisation to undertake the works set out within the Written Scheme of Investigation.

The development shall not be carried out other than in accordance with the programme of archaeological works set out in the approved Written Scheme of Investigation.

REASON: 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 the National Planning Policy Framework and Policy R29 of the Welwyn Hatfield District Plan 2005.

14. The site investigation and post investigation assessment shall be completed in accordance with the Written Scheme of Investigation approved under condition 13 and the provision made for analysis and publication where appropriate within 6 months of the commencement of the works hereby approved.

REASON: 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 the National Planning Policy Framework and Policy R29 of the Welwyn Hatfield District Plan 2005

DRAWING NUMBERS

15. 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
304-EX-01	A	Existing Site Plan	13 June 2017
304-EX-02	A	Existing Floor Plans & Roof Details	13 June 2017
304-EX-03	A	Existing Elevations	13 June 2017
304-PL-02	B	Proposed Site Plan with Context	3 August 2017
304-PL-03	D	Proposed Floor Plans & Roof Details	29 August 2017
304-PL-04	B	Proposed Elevations	1 September 2017
304-PL-01	A	Site and Location Plans	13 June 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. All works to be undertaken on the adjoining highway shall be constructed to the satisfaction and specification of the Highway Authority by an approved contractor and in accordance with Hertfordshire County Council's publication "Roads in Hertfordshire - Highway Design Guide (2011)". 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:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx/>
or by telephoning 0300 - 1234047.

2. 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 or by telephoning 0300 1234047.
3. 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 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 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.

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

If you have any concerns or questions then please call us on **020 8207 7456** or email buildingcontrol@hertfordshirebc.co.uk

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

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HERTFORDSHIRE BUILDING CONTROL

PROTECTING YOUR INTERESTS BY
ENSURING QUALITY BUILDINGS

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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. Alternatively, there is a lot of useful advice contained on our website: 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.