

To: Mr C Batchelor  
PBDesign  
34 Claudian Place  
St Albans  
AL3 4JF

## **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 – 1100 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 C Batchelor

**Application No:** 6/2018/2102/FULL

**Date of Approval:** 8 August 2019

**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:** Retention of two storey rear extension

**At Location:** Oak Cottage Residential Home 4 Wilkins Green Lane Hatfield AL10 9RT

**Applicant:** Mr F Theanne

**Application Date:** 19 December 2018

In accordance with the conditions listed below: -

1. The alterations to the building hereby approved and as shown on drawing numbers OCCH 102-1 Rev A and OCCH 102-2 Rev B dated July 2019 shall be commenced within 3 months of the date of this decision and be fully completed within 6 months of the date of this decision.

**REASON:** To ensure that the existing unlawful and unacceptable works are removed as soon as possible in order to repair and restore the character and appearance of the dwelling and surrounding area and to protect the living conditions of occupiers of neighbouring properties in accordance with the Policies D1 and D2 of the Welwyn Hatfield District Plan 2005; Policies SP9 and SADM11 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016; and the National Planning Policy Framework 2019.

2. The brickwork, roof tile, bond, mortar, detailing, guttering, soffits and other external decorations of the approved extension/alterations must match the existing dwelling/building in relation to colour and texture.

**REASON:** To ensure a satisfactory standard of development in the interests of visual amenity in accordance with Policies D1 and D2 of the Welwyn Hatfield District Plan 2005, Policies SP9 and SADM11 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016 and the National Planning Policy Framework 2019.

3. The window located in the wall forming the west side elevation of the building serving an office and the window on the east side elevation of the building

servicing a secondary bedroom window hereby approved must be obscure-glazed and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and shall be retained in that form thereafter.

REASON: To protect the residential amenity and living conditions of adjoining occupiers in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005; SADM11 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016; and the National Planning Policy Framework 2019.

#### DRAWING NUMBERS

4. 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>
OI504677		Existing Block Plan	18 December 2018
Location Plan		Location Plan	18 December 2018
OC 102-10	B	Proposed Block Plan	19 December 2018
Block Plan		Proposed Block Plan Showing Existing Outbuilding	24 January 2019
OCCH 102-2	B	Proposed Roof Plan and Elevation	24 July 2019
OCCH 101-1	B	Existing Ground and First Floor Plans	30 July 2019
OCCH 101-2	A	Existing Roof Plan and Elevations	24 July 2019
OCCH 102-1	A	Proposed Floor Plans	30 July 2019

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 paragraph 38 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.
2. The granting of this permission does not convey or imply any consent to build upon or access from any land not within the ownership of the applicant.
3. Any damage to the grass verges caused by the development/works hereby approved is the responsibility of the applicant and must be re-instated to their original condition, within one month of the completion of the development/works. If damage to the verges are not repaired then the Council and/or Highway Authority will take appropriate enforcement action to remedy any harm caused.



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 to make, 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  
Hertsmere Civic Offices  
Elstree Way  
Borehamwood  
Hertfordshire  
WD6 1WA

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



## HERTFORDSHIRE BUILDING CONTROL

PROTECTING YOUR INTERESTS BY  
ENSURING QUALITY BUILDINGS

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





### 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, ensuring 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.