

To: Mr R Moxon
Arlington Business Parks GP Limited
1230 Parkview
Arlington Business Park
Theale
Reading
RG7 4SA

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 – 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 R Moxon

Application No: 6/2018/3255/FULL

Date of Approval: 8 March 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: Erection of a pre-delivery inspection facility (Use Class B2), together with car storage area (Use Class B8), staff car parking, cycle parking, boundary treatment, landscaping, lighting and access

At Location: Plot 5610, Gypsy Moth Avenue, Hatfield Business Park, Hatfield, AL10 9BS

Applicant: Mr R Moxon

Application Date: 20 December 2018

In accordance with the conditions listed below: -

1. Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts (a) to (d) have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until part (a) to (d) have been complied with in relation to that contamination.

(a) Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- Human health
- Property (existing or proposed) including buildings,
- Crops
- Livestock
- Pets

- Woodland and service lines and pipes
- Adjoining land
- Groundwaters and surface waters
- Ecological systems
- Archeological sites and ancient monuments

(iii) an appraisal of remedial options, and proposal of the preferred option(s). This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

(b) Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

(c) Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

(d) Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition a, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of part b, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with part c.

(e) Long Term Monitoring and Maintenance

A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of years, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

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 other offsite receptors, in accordance with Policy R2 of the Welwyn Hatfield District Plan 2005; Policy SADM18 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016; and the National Planning Policy Framework 2019.

2. Development must not commence until an Archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme must include an assessment of archaeological significance and research questions; and:
 - a) The programme and methodology of site investigation and recording;
 - b) The 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 or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.

The development must take place in accordance with the programme of archaeological works set out in the approved Written Scheme of Investigation.

The development must not be occupied/used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the approved Written Scheme of Investigation 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 and to ensure the appropriate identification, recording and publication of archaeological and

historic remains affected by the development, in accordance with Policy R29 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework 2019.

3. Development must not commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development must only be carried out in accordance with the approved details. The Construction Traffic Management Plan must include details of:
 - a) Construction vehicle numbers, type, routing;
 - b) Traffic management requirements;
 - c) Construction and storage compounds (including areas designated for car parking);
 - d) Siting and details of wheel washing facilities;
 - e) Cleaning of site entrances;
 - f) Site tracks and the adjacent public highway;
 - h) Provision of sufficient on-site parking prior to commencement of construction activities; and

REASON: In the interests of highway safety in accordance with Policy SADM2 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016 and the National Planning Policy Framework 2019.

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

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; Policy SP9 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016; and the National Planning Policy Framework 2019.

5. No development above ground level shall take place until details of a cycle parking area for 3 bicycles has been submitted to and approved in writing by the Local Planning Authority. These details include:
 - a) Elevations (front, sides and rear) to a metric scale illustrating the size, form and openings. The type, colour and manufacture of the external materials must also be annotated;
 - b) Floor plan to a metric scale showing footprint and openings;
 - c) Roof plan to a metric scale including annotation of type, colour and manufacture of the roof covering; and
 - d) Block plan to a metric scale showing location of cycle store within the site.

Prior to use of the development, the approved details must be implemented, made available for use, and retained in that form thereafter.

REASON: In order to ensure that there is adequate provision for cycle accommodation within the site and encouraging alternative modes of transport in accordance Policy M6 of the Welwyn Hatfield District Plan 2005; Supplementary Planning Guidance - Parking Standards 2004 (Statement of Council Policy); Policy SADM12 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016; and the National Planning Policy Framework 2019.

6. No development above ground level shall take place until details of bird boxes and bat boxes and bat tubes have been submitted to and approved in writing by the Local Planning Authority. These details must include: Location, height, angle and facing direction. Recommendations are set out by informatives included in this decision notice. The development must then be carried out in accordance with the approved details.

REASON: To increase opportunities for wildlife and the site and enhancing biodiversity, in accordance with Policy R1 of the Welwyn Hatfield District Plan 2005; Policy SADM16 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016; and the National Planning Policy Framework 2019.

7. Prior to use of the development hereby approved, precise design details of the 2.4 metre boundary fencing has been submitted to and approved in writing by the Local Planning Authority. These details must include external material type and colour. The development must then be implemented in accordance with the approved details.

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; Policy SP9 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016; and the National Planning Policy Framework 2019.

8. Prior to use of the development hereby approved, a manned measured noise survey must be carried out and a report of the findings submitted to and approved in writing by the Local Planning Authority. The noise survey must include reference to measured background noise level at monitoring locations agreed by the Local Planning Authority. The noise emitted must be measured at 1.0m from the facade of the nearest residential premises, so far as practicable, to demonstrate that the noise emitted by the combined operation of all external building services plant hereby permitted does not exceed 10db below background noise level at any time when the plant is operating. Measurement parameters must include the LA90, LAeq, LA Max and frequency analysis.

Should the plant fail to comply with this condition at any time, it must be switched off and not used again until it is able to comply. The use of the equipment must not commence or re-commence until a fully detailed noise

survey and report has been submitted to and approved in writing by the Local Planning Authority and approved mitigation measures such as acoustic screening or silencers have been implemented. The plant must be serviced regularly in accordance with manufacturer's instructions and as necessary to ensure that the requirements of the condition are maintained at all times.

REASON: To protect the living conditions of neighbouring occupiers in accordance with Policies D1 and R19 of the Welwyn Hatfield District Plan 2005; Policy SADM18 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016; and the National Planning Policy Framework 2019.

9. No machinery shall be operated nor deliveries taken or dispatched from the site outside the hours of 07:00 to 20:00 on Mondays to Saturdays and 10:00 to 19:00 on Sundays.

REASON: To protect the living conditions of neighbouring occupiers in accordance with Policies D1 and R19 of the Welwyn Hatfield District Plan 2005; Policy SADM18 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016; and the National Planning Policy Framework 2019.

10. Prior to use of the development hereby approved, the following external lighting details must be submitted to and approved in writing by the Local Planning Authority:

- a) Elevations of lampposts (metrically scaled)
- b) Vertical lux diagrams which show potential light trespass into windows of nearby residential properties. This scheme must meet the requirements within the Institution of Lighting Professionals guidance notes for the reduction of obtrusive lighting.

The approved details must be implemented in accordance with the submitted External Lighting Layout plan submitted and received 20 December 2018 and with drawing number: P5610-SPIE-XX-XX-DR-X-3000 Rev P02. No other external lighting shall be installed without prior consent from the Local Planning Authority.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity and to protect the living conditions of neighbouring residential occupiers in accordance with Policies D1 and R20 of the Welwyn Hatfield District Plan 2005; Policies SP9 and SADM18 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016; and the National Planning Policy Framework 2019.

11. Prior to use of the development hereby approved, the proposed access / onsite car parking / servicing / loading, unloading / turning /waiting areas must be demarcated, levelled, surfaced and drained.

REASON: In the interests of highway safety in accordance with Policy SADM2 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016 and the National Planning Policy Framework 2019.

12. All agreed landscaping comprised drawing number: 1222-200, submitted and received 20 December 2018, must be carried out in the first planting and seeding seasons following the occupation of the first building, 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; Policies SP9 and SADM16 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016; and the National Planning Policy Framework 2019.

DRAWING NUMBERS

13. 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
6434-008		Site Plan	20 December 2018
6434-007		Block Plan	20 December 2018
6434-004		Proposed Floor Plan	20 December 2018
6434-005		Proposed Elevations & Sections	20 December 2018
6434-006		Location Plan	20 December 2018
1222-R001	P1	Illustrative Masterplan	20 December 2018
1222-300	P1	Hardworks Plan	20 December 2018
1222-200		Planting Plan	20 December 2018
P5610-SPIE-XX-XX-DR-X-3000	P02	External Lighting Layout	20 December 2018

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 recommended direction to face a nest box is between north and east, as this will provide natural protection from direct sunlight, wind and rain, creating a more suitable and safe environment for growing birds. The box can also be tilted marginally forward to allow any rain to run clear of the entrance.

Bat boxes should be installed on mature trees around the borders of the site to provide additional roosting habitat for bats. The installation of bat tubes into the new building will also act as an enhancement. Bat boxes should be positioned 3-5m above ground level and face in a south / south-westerly direction with a clear flight path to and from the entrances. Bat tubes are inserted into the fabric of the building during construction and should be positioned as high as possible, close to the eaves, and be inserted into the south / south-westerly elevations. No artificial light should shine on the bat boxes or bat tubes as this will impact on emergence times, resulting in reduced foraging times which may ultimately lead to the new roost being abandoned.

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. It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.
6. The applicant is advised that all routes 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. 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 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 to make, 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
Hertsmere Civic Offices
Elstree Way
Borehamwood
Hertfordshire
WD6 1WA

020 8207 7456
buildingcontrol@hertfordshirebc.co.uk
www.hertfordshirebc.co.uk



HERTFORDSHIRE BUILDING CONTROL

PROTECTING YOUR INTERESTS BY
ENSURING QUALITY BUILDINGS

020 8207 7456
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. 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 garage 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.