

To: Mr R Moxon  
Arlington Business Parks GP Limited  
Arlington  
1230 Parkview  
Arlington Business Park  
Theale  
Berkshire  
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](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 R Moxon

**Application No:** 6/2019/1411/MAJ

**Date of Approval:** 4 September 2020

**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 multi-franchise car dealership (sui generis use) with offices (B1 use class), workshops (B2 use class) and car storage (B8 use class), together with car parking, cycle parking, boundary treatment, landscaping, lighting and access

**At Location:** Plot 5100, Mosquito Way, Hatfield Business Park, Hatfield, AL10 9WN

**Applicant:** HR Owen Plc

**Application Date:** 12 June 2019

**This planning permission is subject to a Section 106 agreement.**

In accordance with the conditions listed below: -

1. Development must not commence until a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The Construction Management Plan must include the following details:
  - 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, site tracks and the adjacent public highway;
  - f. Provision of sufficient on-site parking for construction employees prior to commencement of construction activities; and
  - g. Post construction restoration/reinstatement of the working areas and temporary access to the public highway.

The approved Construction Management Plan must be fully adhered to from start to completion of the development.

**REASON:** In the interest of highway safety in accordance with the National Planning Policy Framework.

2. Development must not commence until a detailed surface water drainage scheme for the site based on the approved drainage strategy and sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The scheme must subsequently be implemented in accordance with the approved details before the development is completed.

The scheme must include:

- a. Demonstrate an appropriate SuDS management and treatment train and inclusion of above ground features reducing the requirement for any underground storage. Blue roofs, permeable paving areas and above ground storage structures should be considered within the development;
- b. Detailed modelling to demonstrate how the system operates during up to and including the 1 in 100 year critical duration storm event including an allowance for climate change. This should include half drain down times for all storage features;
- c. Final drainage layout plan showing pipe networks. The plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes. Total storage volume provided within each storage structure should be identified;
- d. Detailed engineered drawings of the proposed SuDS features including cross section drawings, their size, volume, depth and any inlet and outlet features including any connecting pipe runs;
- e. Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

REASON: To prevent the increased risk of flooding, both on and off site in accordance with the National Planning Policy Framework.

3. No development above ground level in any phase of the 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 Policies D1, D2 and HATEAR1 of the Welwyn Hatfield District Plan 2005, Supplementary Design Guidance 2005, and the National Planning Policy Framework.

4. The rooftop parking bays must be implemented as shown on drawing number C-190 Revision C and be permanently retained thereafter. Vehicles must not be parked or stored outside these bays.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with Policies D1, D2 and HATEAR1 of the Welwyn Hatfield District Plan 2005, Supplementary Design Guidance 2005, and the National Planning Policy Framework.

5. Prior to first occupation of the development, the mitigation measures set out in the submitted surface water drainage assessment carried out by Baynham Meikle Partnership Ltd, project reference JD/12690, report status 4th Issue, must be fully implemented and subsequently be in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

REASON: To reduce the risk of flooding in accordance with the National Planning Policy Framework.

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

REASON: To ensure the permanent availability of the parking /manoeuvring area in accordance with Policies M6 and M14 of the Welwyn Hatfield District Plan 2005, Supplementary Design Guidance 2005 and the National Planning Policy Framework and in the interest of highway safety in accordance with the National Planning Policy Framework.

7. Borehole drilling, piling or other foundation designs using penetrative methods shall not be carried out other than with the written consent of the local planning authority.

REASON: To ensure that the proposed foundations and other penetrative methods do not harm groundwater resources in accordance with Policy R8 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework. It cannot be reasonably concluded from the submitted information that the foundations design would not create a pathway for the contamination to migrate between shallow and deeper groundwater.

8. Drainage systems for the direct infiltration of surface water to the ground are not permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development must then be carried out in accordance with the approved details.

REASON: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants, in accordance with Policy R8 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

9. Noise from plant and equipment associated with the development must be 10dB (LAeq) below the background noise level (LA90) at the nearest residential properties (5dB below the background noise level if evidence is provided which shows that no tonality is present).

REASON: To protect the living conditions of neighbouring residents from unacceptable levels of noise, in accordance with Policy R19 of the Welwyn Hatfield District Plan 2005, Supplementary Design Guidance 2005 and National Planning Policy Framework.

10. The development hereby permitted must be carried out in accordance with the principles of the submitted surface water drainage assessment carried out by Baynham Meikle Partnership Ltd, project reference JD/12690, report status 4th Issue, dated September 2019:

- a. Limiting the surface water runoff generated by the critical storm events so that it will not exceed the surface water runoff rate of 123 l/s during the 1 in 100 year event plus 30% of climate change event;

- b. Providing storage to ensure no increase in surface water runoff volumes for all rainfall events up to and including the 1 in 100 year plus climate change event; and

- c. Discharge of surface water from the private drainage network into the existing Thames Water surface water sewer network

REASON: To reduce the risk of flooding in accordance with the National Planning Policy Framework.

11. Development must be carried out in accordance with the approved programme of archaeological works set out in the submitted Written Scheme of Investigation by Cotswold Archaeology, Revision B, August 2019.

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.

12. All agreed landscaping comprised in drawing numbers 1226-001 Revision B, 1226-201 Revision A, 1226-202 Revision A and 1226-401 shall 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 D1, D2 and D8 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

#### 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>
104		Proposed Drainage & Levels Plan	12 June 2019
S-080	B	Existing Site Plan Survey	12 June 2019
S-100	F	Ground Floor Site Plan	8 October 2019
A-140	F	East Showroom - Ground & Mezzanine Floor Plan	10 October 2019
B-150	D	East Showroom - Ground & First Floor Plan	10 October 2019
B-155	C	Workshop A & B And East Showroom Roof Plans	15 July 2020
C-160	E	Workshop C & West Showroom - Ground Floor Plan	10 October 2019
C-165	E	Workshop C & West Showroom - Ground Floor Mezzanine Plan	8 October 2019
D-195	D	Valet Building & Outbuildings - Plans & levations	10 October 2019
A-220	F	East Showroom - Elevations	8 October 2019
B-230	E	East Showroom & Workshop - Workshop A & B Elevations	8 October 2019
C-240	F	Workshop C & Showroom - Elevations	10 October 2019
A-310	A	East Showroom & Workshop - Sections	10 October 2019
C-330	D	Workshop C & West	10 October 2019

Showroom - Sections			
S-001	C	Location & Block Plan	10 October 2019
1226-003		Vegetation Retention & Removal Plan	12 June 2019
1226-402		Tree Protective Fencing Detail	12 June 2019
1226-011	B	Existing & Proposed Site Section B-B	10 October 2019
1226-013	B	Existing & Proposed Site Section D-D	10 October 2019
1226-015	A	Existing & Proposed Site Section F-F	8 October 2019
1226-001	B	Landscape General Arrangement Plan	10 October 2019
1226-401		Typical Detail - Tree In Soft	12 June 2019
1226-010	B	Existing & Proposed Site Section A-A	10 October 2019
1226-012	B	Existing & Proposed Site Section C-C	10 October 2019
1226-014	A	Existing & Proposed Site Section E-E	10 October 2019
1226-016	A	Existing & Proposed Site Section G-G	10 October 2019
1226-201	A	Planting Plan 1 of 2	8 October 2019
1226-202	A	Planting Plan 2 of 2	10 October 2019
C-170	E	Workshop C & West Showroom - First Floor Plan	10 October 2019
C-180	E	Workshop C & West Showroom - Second Floor Plan	8 October 2019
C-190	C	Workshop C & West Showroom - Third Floor Roof Plan	13 July 2020
SK100	C	Proposed Vehicle Tracking Plan	8 October 2019

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



### **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 or legal interest (easements or wayleaves) which may affect the land.
2. In addition, and separate to your planning permission, for the majority of schemes, you are required by law to appoint a building regulator who will inspect your property at various stages during the course of your building project. This is to ensure it is compliant with the Building Regulations and the Building Act 1984.

The checks the building regulator will carry out include, but are not limited to, the structure, foundations, fire precautions and escape routes, electrical and plumbing compliance and other issues such as drainage and insulation. The objective of these checks is to ensure that your building is safe to live in, accessible and environmentally sustainable.

Once all build stages are checked and the works are finished, a Completion Certificate is issued confirming that these objectives have been met. You will also need the Completion Certificate, should you sell the property, as it will confirm to future owners that the work has been carried out in compliance with the Regulations.

As the owner of the property, you are responsible for Building Regulations compliance so we would urge you to decide which regulator to use, as opposed to leaving your builder or architect to make the choice. This is so that you can be sure the building regulator is truly independent and working to protect you from any breach or omission during the works.

Hertfordshire Building Control Limited are a Company wholly owned by eight local authorities in Hertfordshire including (insert Council name) District / Borough Council (insert link). Please contact them on 01438 879990 or at [buildingcontrol@hertfordshirebc.co.uk](mailto:buildingcontrol@hertfordshirebc.co.uk) to discuss the process and all that is involved. Or alternatively refer to the Homeowner Information section on their website at [www.hertfordshirebc.co.uk](http://www.hertfordshirebc.co.uk)

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.
7. If any tanks or generators are to be installed as part of the development, they will need to have secondary containment which can hold 110% of the volume the tank or generator is designed to contain. A form of leakage detection is also recommended. This would help prevent further pollution in the event of a spillage or leak.



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 experience 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  
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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)





### 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@hertfordshirecc.co.uk](mailto:buildingcontrol@hertfordshirecc.co.uk). Alternatively, there is a lot of useful advice contained on our website: [www.hertfordshirecc.co.uk](http://www.hertfordshirecc.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.