

To: Mr D Goodman  
Phillip Dean Limited  
12 Raffin Park  
Datchworth  
SG3 6 RR

## **Important – Planning permission and notices of consent**

### **Compliance with conditions**

- Your planning approval or consent is attached. It will contain conditions that you must comply with.
- Please read the conditions and understand their requirements and restrictions, for example submission and approval of details or measures to protect trees.
- Some conditions will require action before you start development and it is imperative that you seek to have these discharged before any work commences.
- Whilst every effort has been made to group conditions logically, it is your responsibility to ensure that you are aware of the requirements and/or restrictions of all conditions.
- If you fail to comply with the conditions this may result in a breach of planning control and this may lead to enforcement action.
- Failure to comply with conditions may also result in the development not being lawful.
- It is in your interests to demonstrate that conditions have been complied with. Failure to do so may cause difficulties if the property is sold or transferred.
- A fee may be payable for each request to discharge conditions.

For advice on any of these matters, please contact the duty planning officer or the case officer at Welwyn Hatfield Borough Council, Campus East, The Campus, Welwyn Garden City, AL8 6AE or by email [planning@welhat.gov.uk](mailto:planning@welhat.gov.uk) between 0900 – 1300 daily.

**Notice of Decision  
Town and Country Planning Act 1990  
Town and Country Planning (Development  
Management Procedure) (England) Order 2015  
Approval of Permission for Development**

To: Mr D Goodman

**Application No:** S6/2015/1135/FP

**Date of Approval:** 8 October 2015

**WELWYN HATFIELD BOROUGH COUNCIL, in pursuance of powers under the above mentioned act, hereby GRANT, for a period of 3 years from the date hereof to: -**

**Development:** Erection of 2 no. detached dwellings  
**At Location:** 315 St Albans Road West, Hatfield, AL10 9RJ  
**Applicant:** Mr & Mrs D Guddemi  
**Application Date:** 10 June 2015

In accordance with the accompanying plans and particulars, subject to the conditions listed below: -

1. The development/works shall not be started and completed other than in accordance with the approved plans and details:

Ordnance Survey Extract 1:1250 & DRG.No.1 & DRG.No.2 received and dated 10 June 2015.

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

2. No development shall take place until samples of the 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.

3. 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) Proposed means of enclosure and boundary treatments to all areas of the site.

- b) Hard surfacing, other hard landscape features and materials.
- c) Existing trees, edges or other soft features to be retained and a method statement showing tree protection measures to be implemented for the duration of the construction. This statement is to include an Arboricultural Implication and Method Statement which refers to BS5837:2005 Trees in Relation to construction. and contain pre-development works, requirements for barriers and ground protection, prohibitions, and excavation details for services near existing trees.
- d) Planting plans, including specifications of species, sizes, planting centres, number and percentage mix, and details of seeding or turfing.

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 Policy D8 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

- 4. All planting seeding or turfing and soil preparation comprised in the above details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner: and any plants which within a period of five 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, unless the local planning authority gives written consent to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the Local Planning Authority.

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

- 5. Both existing and proposed levels of the ground shall be shown on detailed plans and sections, including finished floor levels of the approved dwelling and those plans shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development. Development shall be carried out in accordance with the approved plans.

REASON: To enable the Local Planning Authority to fully consider the effects of development normally permitted by that order in the interests of visual amenity of the surrounding area and to safeguard the residential amenity of the adjoining neighbours in Selwyn Crescent and Asbury Close in accordance with Policy D1 & D2 of the Welwyn Hatfield District Plan 2005 and the accompanying Supplementary Design Guidance February 2005 and the National Planning Policy Framework.

6. Prior to first occupation of the development the proposed car parking and cycle parking shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter for that specific use.

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

7. The development hereby permitted shall be used for Class C3 (dwellinghouse[s]) only and for no other purpose (including any other purpose in Class C of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification), and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no development within Class I of Part 3 of Schedule 2 to that Order shall take place.

REASON: To enable the Local Planning Authority to fully consider the effects of development normally permitted by that order in the interests of visual amenity of the surrounding area and to safeguard the residential amenity of the adjoining neighbours in Selwyn Crescent and Asbury Close in accordance with Policy D1 & D2 of the Welwyn Hatfield District Plan 2005 and the accompanying Supplementary Design Guidance February 2005 and the National Planning Policy Framework.

#### REASON FOR APPROVAL

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 Councils website or inspected at these offices).

#### **Informative(s)**

1. The applicant is advised that storage of materials associated with the development should take place within the site and not extend into within the public highway without authorisation from the highway authority, Hertfordshire County Council. If necessary further details can be obtained from the County Council Highways via either the website <http://www.hertsdirect.org/services/transtreets/highways/> or telephone 0300 1234047 to arrange this.
2. Road Deposits: Best practical means shall be taken at all times to ensure that all vehicles leaving the development site during construction of the development are in condition such as not to emit dust or deposit mud, slurry or other debris on the highway. This is to minimise the impact of construction vehicles and to improve the amenity of the local area.

3. Public sewers crossing or close to the development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the options available at this site.
4. Surface Water Drainage - With regard to surface water drainage Thames Water advise it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water Thames Water recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit our website at [www.thameswater.co.uk](http://www.thameswater.co.uk)
5. The water supply comes within the area covered by the Affinity Water Company. For your information the current contact details are: Veolia Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.
6. The development will involve the numbering of properties and naming new streets. The applicant **MUST** contact Welwyn Hatfield Borough Council, Transportation (Cathy Wilkins 01707 357558 before any name or number is proposed. This is a requirement of the Public Health Act 1875 and Public Health (Amendment) Act 1907.
7. Refuse bins will need to be presented where the shared driveway meets the adopted highway of Ashbury Close. Bins should be sited so as not to cause a highway hazard to either vehicles or pedestrians.

8. 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.



Colin Haigh  
**Head of Planning**

## **Town and Country Planning Act 1990**

- 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 1990.
- 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 within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier. •
- If 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;
  - a minor commercial 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;
  - an application for advertisement consent, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of this notice;
  - works in respect to a tree preservation order application, if you want to appeal against your local planning authority's decision then you must do so within 28 days of the date of this notice;
  - a lawful development certificate, there is no time restriction.
- For all other appeals, if you want to appeal against your local planning authority's decision then you must do so within 6 months 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.