

**WELWYN HATFIELD BOROUGH COUNCIL  
EXECUTIVE DIRECTOR - PLANNING, PUBLIC PROTECTION AND GOVERNANCE**

**DELEGATED APPLICATION**

**Application No:** 6/2019/1411/MAJ  
**Location:** Plot 5100, Mosquito Way, Hatfield Business Park, Hatfield, AL10 9WN  
**Proposal:** 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  
**Officer:** Mr David Elmore

**Recommendation:** Granted

6/2019/1411/MAJ

<b>Context</b>	
<b>Site and Application description</b>	<p>The application site has an area of approximately 3.82 hectares and comprises a section of vacant grassland adjacent to Mosquito Way and Gypsy Moth Avenue.</p> <p>A variety of companies are located in the business park, operating across B1a/b (business), B1c/B2 (light industrial/general industrial), B8 (storage &amp; distribution) and Sui Generis (SG) Use Classes (including a bus depot, car dealership and Herts Police HQ). There is also a Pharmaceutical Research and Development Facility (Information Centre) operated by Eisai. B8 Use Class forms a major part of the overall business park with the western side of the park operating as a “Logistics Area” incorporating businesses such as Ocado, Yodel and Booker in large warehouses. The other major Use Class is B1a/b. The east of the park has a higher density of businesses located in a range of office developments, of which Trident Place is the largest.</p> <p>The site is bounded to the north by a collection of industrial building (IO Centre). To the east, on the opposite side of Gypsy Moth Avenue, are two large car dealerships with associated servicing/repair and office facilities. To the immediate east is a large three storey building comprising office and distribution space ‘Air Business’. On the opposite side of Mosquito Way are two four storey buildings including Affinity Water and Eisai.</p> <p>Planning permission is sought for the 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.</p>
<b>Constraints (as defined within WHDP 2005)</b>	<p>EMPL - EA6 (Hatfield Business Park) - Distance: 0</p> <p>LCA - Landscape Character Area (De Havilland Plain) - Distance: 0</p> <p>PAR - PARISH (HATFIELD) - Distance: 0</p> <p>UOL - Urban Open Land (Inset map 3) - Distance: 0</p>

	<p>Wards - Hatfield Villages - Distance: 0</p> <p>A4HD - Article 4 HMO Direction - Distance: 0</p> <p>CP - Cycle Path (Cycle Facility / Route) - Distance: 9.64</p> <p>FM30 - Flood Zone Surface Water 30mm (1874639) - Distance: 0</p> <p>FM10 - Flood Zone Surface Water 100mm (2724227) - Distance: 0</p> <p>FM10 - Flood Zone Surface Water 100mm (2724242) - Distance: 0</p> <p>FM10 - Flood Zone Surface Water 100mm (2724033) - Distance: 0</p> <p>FM10 - Flood Zone Surface Water 100mm (2724177) - Distance: 0</p> <p>FM10 - Flood Zone Surface Water 100mm (2724252) - Distance: 0</p> <p>FM10 - Flood Zone Surface Water 100mm (2724374) - Distance: 0</p> <p>FM10 - Flood Zone Surface Water 100mm (2764492) - Distance: 0</p> <p>FM00 - Flood Zone Surface Water 1000mm (7588628) - Distance: 0</p> <p>FM00 - Flood Zone Surface Water 1000mm (7588266) - Distance: 0</p> <p>FM00 - Flood Zone Surface Water 1000mm (7588702) - Distance: 0</p> <p>FM00 - Flood Zone Surface Water 1000mm (7588767) - Distance: 0</p> <p>FM00 - Flood Zone Surface Water 1000mm (7588788) - Distance: 0</p> <p>FM00 - Flood Zone Surface Water 1000mm (7588801) - Distance: 0</p> <p>FM00 - Flood Zone Surface Water 1000mm (7588502) - Distance: 0</p> <p>FM00 - Flood Zone Surface Water 1000mm (7588199) - Distance: 0</p> <p>FM00 - Flood Zone Surface Water 1000mm (7588560) - Distance: 0</p> <p>FM00 - Flood Zone Surface Water 1000mm (7588592) - Distance: 0</p> <p>FM00 - Flood Zone Surface Water 1000mm (7661643) - Distance: 0</p> <p>FM00 - Flood Zone Surface Water 1000mm (7661320) - Distance: 0</p> <p>FM00 - Flood Zone Surface Water 1000mm (7661587) - Distance: 0</p> <p>FM00 - Flood Zone Surface Water 1000mm (7661619) - Distance: 0</p> <p>HAT - Hatfield Aerodrome - Distance: 0</p> <p>HEN - No known habitats present (medium priority for habitat creation) - Distance: 0</p> <p>SAGB - Sand and Gravel Belt - Distance: 0</p> <p>HHAA - Hatfield Heritage Assessment Area(Hatfield Business Park) - Distance: 0</p>
<p><b>Relevant planning history</b></p>	<p>Application Number: 6/2019/0563/FULL  Decision: Granted  Decision Date: 10 June 2019  Proposal: Erection of temporary car showroom facility with associated vehicular parking and landscaping</p> <p>Application Number: 6/2019/0173/PA  Decision Date: 30 July 2019  Proposal: Pre application advice follow up for the development of a new HQ, Car Servicing, Storage and Sales Facility for HR Owen Plc with associated vehicular parking and landscaping</p>

	<p>Summary of advice:</p> <ul style="list-style-type: none"> <li>• Principle of development considered acceptable, but supplemental deed required</li> <li>• Potential concern over maximum height of the development and also suggested a softer external facing tone</li> </ul> <p>Application number: 6/2015/2043/OUTLINE  Decision: Granted  Decision Date: 05 July 2016  Proposal: Redevelopment to provide floorspace equivalent to 537 Units of Development (UD) (as set out in Schedule 1) for Use Classes B1, B2, SG and Hotel use on plots 4100, 5000, 5600 and for Use Classes B1, SG and Hotel use on plot 6000 with all matters reserved except access</p> <p>Application Number: S6/1999/1064/OP  Decision: Approval Subject to s106  Decision Date: 29 December 2000  Proposal: Demolition of existing (unlisted) buildings, removal of runway and other hard standing areas and redevelopment for the following purposes: as a business park comprising uses within use class B1, B2, B8 and Sui Generis use; housing; new university campus (use class D1 and D2) to include replacement De Havilland sports and social club and associated playing fields; two hotels; primary school and associated facilities; district centre; works of conversion to enable recreation use of existing listed hangar; aviation heritage centre. Together with associated highway, transport and service infrastructure (including a strategic transport corridor), landscaping and open space, diversion of Ellenbrook. Means of access to be determined</p>		
<b>Consultations</b>			
<b>Neighbour representations</b>	Support: 0	Object: 0	Other: 0
<b>Publicity</b>	Site Notice Display Date: 19 July 2019 Site Notice Expiry Date: 9 August 2019 Press Advert Display Date: 10 July 2019 Press Advert Expiry Date: 24 July 2019		
<b>Summary of neighbour responses</b>	No representations received		
<b>Consultees and responses</b>	Hatfield Town Council – Objection summarised as follows: <ul style="list-style-type: none"> <li>• Not in keeping with original plans for Business Park.</li> <li>• Disportion of land for another car dealership.</li> <li>• Much needed amenities for community will have nowhere to go. Eg: GP practice for 5000 people living within Salisbury Village.</li> </ul> <p>WHBC Client Services – No objection  WHBC Parking Services – No objection</p>		

	<p>WHBC Public Health &amp; Protection – Conditions recommended</p> <p>WHBC Landscaping – No objection</p> <p>HCC Growth Team – No objection</p> <p>HCC Ecology – No objection</p> <p>HCC Lead Local Flood Authority – Conditions recommended</p> <p>HCC Historic Environment Advisor – WSI acceptable</p> <p>HCC Highways - conditions and legal agreement recommended</p> <p>Historic England – No comment</p> <p>Environment Agency – Conditions recommended</p> <p>Thames Water – No objection</p> <p>Affinity water – No objection</p> <p>Hertfordshire Constabulary - Comment that more detail is required regarding security</p>
<b>Relevant Policies</b>	
<p><input checked="" type="checkbox"/> NPPF</p> <p><input checked="" type="checkbox"/> D1   <input checked="" type="checkbox"/> D2   <input type="checkbox"/> GBSP1   <input checked="" type="checkbox"/> GBSP2   <input checked="" type="checkbox"/> M14</p> <p><input checked="" type="checkbox"/> Supplementary Design Guidance (SDG)   <input checked="" type="checkbox"/> Supplementary Parking Guidance (SPG)</p> <p><input checked="" type="checkbox"/> Interim Policy for car parking and garage sizes (Interim Parking Policy)</p> <p>Others: SD1, R2, R7, R11, R19, R29, M1, M2, M3, M4, M5, M6, D8, EMP1, EMP2, HATAER1, HATAER1, HATAER3, HATAER4 &amp; Hatfield Aerodrome SPG</p>	
<b>Main Issues</b>	
<b>Principal of development</b>	<p>The application site is situated within the context of the wider Hatfield Business Park, which is designated as an employment area (EA6), under Policy EMP1 of the adopted Welwyn Hatfield District Plan (2005).</p> <p>The site is also covered by the Hatfield Aerodrome Supplementary Planning Guidance (1999), which sets out the masterplan to guide the redevelopment of the area. Hatfield Business Park sits on the site of the former Hatfield Aerodrome, which was occupied first by the DeHavilland Aircraft Works, and later by British Aerospace (BAe), until it was closed by BAe in the mid 1990's with the loss of 8,000 jobs.</p> <p>Following its closure, Goodman (formerly known as Arlington) in partnership with Welwyn Hatfield Borough Council, Hertfordshire County Council and St Albans District Council, developed a masterplan and Supplementary Planning Guidance document, which became the basis of the December 2000 outline planning permission (S6/1999/1064/OP), to facilitate the re-development of the site. Here, the over-arching principles of the document were to:</p> <ul style="list-style-type: none"> <li>• Promote sustainable development on the site;</li> <li>• Provide for a mix of uses on the site;</li> <li>• Promote economic development on the site to help replace the</li> <li>• jobs lost when BAe closed; and</li> <li>• Provide work and homes for local people.</li> </ul> <p>The outline planning permission was granted in accordance with adopted Supplementary Planning Guidance (SPG), November 1999 for the whole of the Hatfield Aerodrome site. The permission was subject to</p>

26 Conditions and a Section 106 Agreement.

The Hatfield Aerodrome SPG envisages a certain quantum of development for each use class in the Business Park (see below table) but allows for the proportion of uses to be reviewed formally every five years after the commencement of development, to take account of the prevailing economic climate, market demand and take-up rates. In practice a formal review has not been necessary to keep up with demand.

Use Class	Acres	Hectares	Floorspace (sqm)
B1a/b	57.0	23.1	96,300
B1(c)/B2	20.0	8.1	32,400
B8	28.0	11.3	45,342
Sui Generis	10.0	4.1	16,954
<b>Totals</b>	<b>115</b>	<b>46.5</b>	<b>190,996</b> <b>Plus hotel</b> <b>= 197,996</b>

The Business Park is now largely complete. A total of 197,996sqm of development (plus hotel) was permitted at the Business Park. Hatfield Business Park is one of the most significant employment areas in the East of England and provides a diverse range of employment for over 10,000 people.

In July 2016 outline planning permission was granted under reference 6/2015/2043/OUTLINE to update the original planning permission at Hatfield Business Park for a period of ten years in order to enable flexible uses B1(a/b), B1c/B2 and Sui Generis on the four remaining undeveloped plots, three of which have since been developed.

The extant outline permission (6/2015/2043/OUTLINE) does not include any allowance for B8 floorspace. This was because at the time of the application in 2015, the existing developed B8 floorspace within the Business Park had already exceeded that originally designated in the Hatfield Aerodrome SPG and the original outline permission (S6/1999/1064/OP). The original S106 Agreement has been amended by way of a supplemental deed to reflect the alterations in land use floorspace.

Plot 5100 is a last remaining undeveloped plot in the whole Business Park, although there are small number of sub-plots remaining. The proposed development is for the erection of a multi-franchise car dealership. The proposal comprises the following:

- 8,080sqm – workshops (B2 use class)
- 7,351sqm – car storage (B8 use class)
- 4,728sqm – car sales (sui generis use)
- 695sqm – office accommodation (B1 use class)

The gross external floor area of the whole development totals 20,854sqm. This exceeds the quantum of undeveloped floorspace with

outline consent (11,545sqm). However, this is a fresh planning application, not an application for reserved matters, which must be judged on its merits in accordance with current legislation, extant development plan policies and up-to-date national policy.

The Hatfield Aerodrome SPG (1999), which sets out the masterplan to guide the redevelopment of the area remains a material planning consideration. District Plan Policy HATAER 2 requires the former aerodrome to provide a mix of uses. The intention of the original masterplan consent was to provide a mix of uses that would prove to be sustainable through its diversity – in contrast to the previous use of the site. This proposal continues to support that vision and the basis of HATAER 2.

Although this proposal does not fully accord with the masterplan in respect of floorspace allocation for land uses and overall floorspace for the Business Park, the Local Planning Authority accepts that a flexible approach needs to be taken to the development of this site, in accordance with paragraph 1.2 of the Hatfield Aerodrome SPG and paragraph 80 of the NPPF.

Paragraph 1.2 of the SPG states:

*“This SDG is a material consideration against which any future planning applications submitted in respect of the land covered by this guidance will be determined. It is recognised, however, that circumstances may change over time and that as a consequence there may be a need for some flexibility. The Council will need to consider such changes on their merits.”*

Paragraph 80 states:

*“Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future....”*

Twenty years on from when outline permission S6/1999/1064/OP was granted, and the Section 106 Agreement was signed, the economic climate and employment practices have changed significantly, and the market for B1 uses in this area has diminished greatly. The proposal would however create an element of B1 use within the site which is very much supported in light of the rise of predominately B8 uses in recent years within the Business Park. Moreover, the proposed land uses on the site would accord with those in the most recent outline consent which included flexible B1(a) , B2 and Sui Generis uses

The proposed development represents an important employment investment in the area creating 122 jobs which is in accordance with the aims and objectives of the Hatfield Aerodrome SPG. The jobs created would comprise a variety of positions and skill sets.

A number of construction jobs would also be created during the construction phase of the project. A number of supplier related jobs associated with both the construction and operational phases of the development will also be created to the benefit of the Hatfield area and the wider area.

	<p>In terms of Local Plan Policy, the application site is situated within the context of the wider Hatfield Business Park, which is designated as an employment area (EA6), under Policy EMP1 of the adopted Welwyn Hatfield District Plan (2005). Policy EMP2 identifies that proposals for B1, B2 and B8 use or alternative use in Employment Areas will be required to satisfy the following criteria:</p> <ul style="list-style-type: none"> <li>• The proposal would not, due to the scale of employment generated, have an unacceptable impact on the demand for housing in the travel to work area;</li> <li>• The proposal would not have an unacceptable impact on the local and/or strategic transport infrastructure;</li> <li>• The proposal would not harm the amenities of any nearby residential properties;</li> <li>• The development would provide adequate parking, servicing and access;</li> <li>• Any retail element of the development would clearly be ancillary to the main business use.</li> </ul> <p>There would be no retail element and it is considered that the scale of employment (122 staff members) would not have a significant impact on the demand for housing in the travel to work area. All other criteria is discussed later in this report.</p> <p>Policy EMP2 also outlines that alternative uses will need to demonstrate that the existing land is no longer required to meet future employment requirements and business and community needs. Whilst the proposal would include a Sui Generis element the development as a whole would meet these needs.</p> <p>Taking account of the above, it is considered that the proposed uses provides for an acceptable development in principle. It will still safeguard the ability to deliver employment to support the principles of the Development Plan and deliver against the framework of the outline planning permission. At the same time the development will deliver inward investment to the Borough.</p> <p>In formulating a recommendation for this application however, it is necessary to consider the wider impacts of this proposal on the highway network, parking provision, environment and residential amenity, in order to assess whether there are any reasons why this proposal would not be suitable for this site. These are now discussed in turn below.</p>
<p><b>Design (form, size, scale, siting) and Character (appearance within the streetscene) and impact on setting of heritage assets</b></p>	<p>District Plan Policies D1 and D2 require the standard of design in all new development to be of a high quality and that all new development respects and relates to the character and context of the area. These policies are expanded upon in the Council's SDG.</p> <p>The NPPF places a clear emphasis on high quality design and states in paragraph 130 that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way in functions, taking into account any local design standards or style guides in plans or supplementary planning documents.</p> <p>Also relevant to this application is the Hatfield Aerodrome SPG which sets out a series of urban design principles which should be</p>

incorporated in developing detailed proposals. This is emphasised in Policy HATEAR1 of the District Plan. These principles are broadly consistent with the SDG.

Two large buildings are proposed. The focal building is orientated at an angle facing Gypsy Moth Avenue and comprises outward facing showrooms with workshops behind. The workshop building (east showroom) has interesting angular and symmetrical stepped mono-pitched roofs between a central dividing wall. This showroom would have an eaves height of 5 metres and maximum height of 10.8 metres.

Walls to the east showrooms are a dark grey facing brick. The prominent dividing fin and spine walls would be clad in a black flat faced metal rainscreen cladding. The sloping roofs will be a self-finish standing seam aluminium. The display shop fronts and glazing throughout will be full height glazing with minimal framing.

Attached to the rear of the east showroom is the associated workshops which has a regular form and flat roof. This aspect of the building would have a height of 8 metres. Its walls would be elevated with large areas of silver-grey composite cladding with dark grey trims and accents at junctions and door reveals. Roller shutter doors and personnel doors will be in a dark grey metal panel.

The second building would be positioned to the western side of the site facing Mosquito Way and parallel with the Air Business building. It would have an outward facing showroom and office space with associated workshops behind. The building would have a rectangular footprint and flat roof form behind a parapet wall. It would be three-storeys in height with rooftop parking and have a maximum height of 16.1 metres.

The showroom at the front of the west workshop will have a projecting canopy that wraps around the side of the building. This canopy would be finished in dark silver flat aluminium panels. The showroom glazing beneath this projecting canopy will be in minimal frameless glazing.

The workshop behind would have the same facing materials as the east workshop.

Between the two large buildings is a smaller scale valet building of simple form. Its materials would reflect that of the workshops.

To the immediate west of the site is a large three-storey building (Air Business) which is 15 metres in height. This building has a simple form and flat roof. Although the west workshop/showroom building would be greater in height the difference would not be significant.

Two large four-storey buildings are sited on the opposite side of Mosquito Way, including Eisai and Affinity Water.

On the opposite side of Gypsy Moth Avenue is a large and regular shaped car showroom and workshop building with a height of 9.7 metres.

The scale, form and massing of the proposed buildings are considered to be in keeping with other buildings in the immediate context. Importantly, the scale of the development has been reduced close to the junction of Mosquito Way and Gypsy Moth Avenue so as to ensure that it does not appear prominent. The principle of the proposed external materials are acceptable and precise details can be secured



through planning condition in the interest of high quality design.

In terms of the rooftop parking area, a 0.9 metre tall wall would surround its perimeter and car parking spaces are set back from the most noticeable front (south) and side (east) elevations when passing along Mosquito Way. The other side elevation would be significantly masked by the Air Business building when approaching from the south-west along Mosquito Way and the access ramp would be sited to the rear facing industrial buildings. These factors, considered together with the height of the building and separation distance from the road, would make views of cars on the rooftop unlikely from the surrounding area. The rooftop parking area would therefore appear inconspicuous from viewpoints. A planning condition can ensure that the proposed car parking layout is not altered as doing so may result in cars becoming obvious from the ground which would appear incongruous against the established character of the area.

The proposed buildings are set-back from the road and have open frontages. This respects and relates to the siting and layout of built development throughout the business park. The built-form to plot ratio would also be appropriate and the site would not appear overdeveloped.

Policy D8 of the District Plan states that all development, other than the change of use of buildings, should include landscaping as an integral part of the overall design. Planting should respect the area's character and key landscape features should be retained. This approach is broadly consistent with the NPPF.

The majority of the current trees are on or around the boundary of the site fronting the road and this landscape buffer is evident throughout the business park.

The proposal would involve the removal of six trees including four trees along the boundary at the junction of Mosquito Way and Gypsy Moth Avenue. The four trees at this junction are outside of the application but within the applicant's ownership.

The planting plans show new trees, groundcover planting and amenity grass along the boundaries fronting the road. There would also be trees and groundcover planting within the site in the main car parking area.

The Council's Tree Officer considers that the extent of tree removal will not have a significant impact on the landscape and the proposed landscaping will mitigate the loss of these trees. The species, sizes, densities and planting methods of the proposed planting is also sufficient and acceptable. Tree protection measures are included and are acceptable. The area's landscape character would be respected.

It is considered that the development proposal would represent a high quality of design in accordance with the above policies.

A Grade II\* Listed hanger (currently occupied by David Lloyd fitness) is sited approximately 175 metres from the application site to the south-west. Both Historic England and the Council's Historic Building Advisor present no objection.

Whilst there is some inter visibility between the site and this Listed Hangar, the proposed buildings will form part of a townscape of similar buildings. The proposal would not be visually intrusive to the setting of

	<p>this listed building nor any other listing buildings in the area. The significance of such designated heritage assets would not be harmed and the proposal would accord with the NPPF in this respect.</p>
<p><b>Impact on neighbours</b></p>	<p>Ensuring that development protects the living conditions of properties is a key part of good design. Policy D1 of the District Plan requires the standard of design in all new development to be of a high quality and this is expanded upon in the Council's SDG. This approach to development is broadly consistent with the NPPF.</p> <p>The SDG specifically requires that all new development is designed and built to ensure satisfactory level of sunlight and daylight to surrounding development.</p> <p>Policy R19 of the District Plan and the SDG also states that development which is likely to generate unacceptable levels of noise or vibration for other land uses should be refused.</p> <p>The nearest residential properties are a minimum of 156 metres from the edge of the application site and the large Air Business building is sited between. It is considered that the development would not result in any adverse loss of sunlight or daylight or be unduly dominant from these neighbouring properties having regard to the separation distance and also the height and length of projection of the proposed buildings.</p> <p>The Council's Public Health &amp; Protection Officer outlines that due to the distance to the nearest residential property and expected shielding from surrounding buildings, noise is not seen to be a significant concern in terms of the activities likely to take place on site, especially as the noisiest activities will take place internally. Vehicle movements are also not expected to be of significant concern. On this basis, there is not seen to be a requirement for a control in the operating hours of the site.</p> <p>A noise impact assessment provided with the application proposes a 10dB below background noise level for plant and equipment at the nearest residential property. This would be the required noise level if the noise produced is tonal in nature.</p> <p>One concern is that the monitoring point was not by the residential properties, which may have an impact in terms of what the actual background noise is in that area.</p> <p>It is not expected that 10dB below background noise level will be difficult to achieve due to shielding from surrounding buildings (depending on height that equipment is installed at) and the distance to residential properties. To ensure that no issues present themselves later once the development is in operation, it is recommended that a condition limiting the noise levels of plant and equipment is imposed.</p> <p>Policy R20 of the District Plan requires light pollution to be minimised. A lighting plan provided with the application shows areas which are to be lit, which are unlikely to impact on the amenity of residential properties in the area.</p> <p>Taking account of the above, and subject to the suggested condition, it is considered that the development proposal would not have an adverse effect on the amenity and living conditions of neighbouring properties.</p>
<p><b>Highway considerations and parking</b></p>	<p><u>Units of Development</u></p> <p>The quantum of development floorspace permissible at the site is limited by the extant Section 106 agreement to the original application,</p>

which sought to limit any highways impact arising from development. Floorspace limits are calculated using a concept of Units of Development (UD). A set quota of UD was permitted across a number of Use Classes, the majority of which has now been delivered as equivalent floor space. A hotel was also permitted, where UD is based on the number of rooms.

Under the UD approach, 1 unit of development is equivalent to a certain level of floor space for each permitted use class on the former Hatfield Aerodrome site, and this is set out in a table for each land use, at schedule 16 of the Section 106 Agreement for planning permission S6/1999/1064/OP.

The UD approach was conceived as part of the formulation of the Section 106 Agreement, and is an agreed basis for measuring traffic generation from each of the different use classes on the former Hatfield Aerodrome site. It was designed to enable flexibility between different uses, whilst still retaining overall control of the volume of traffic generated on the site, and enabled triggers to be put in place elsewhere in the Section 106 Agreement, to facilitate the delivery of certain contributions, obligations and infrastructure items necessary to support the re-development.

Grant of consent to the 1999 outline application included significant improvements to local highway infrastructure and development of sustainable transport networks and facilities to support the sustainability of the business park, secured by way of a S106 agreement dated 29/12/1999. All contributions (irrespective of actual trigger) due to the County Council as Highway Authority have been received, and expended as appropriate (or continue to be applied as appropriate).

The highway network has been improved in agreement with the County Council as deemed necessary to accommodate the flows predicted and accepted within the original consent.

Hertfordshire County Council (HCC) were acceptant of the recent application for flexibility within the use classes, noting that the maximum limit of UDs (and therefore vehicle trips associated with the operation of the park) remained unchanged to the original consent. The proposals therefore resulted in no net change in the maximum likely trips generated by the site.

The Highways Authority do not have a record of UoDs remaining. As such, the Local Planning Authority are requested to confirm that the development represents development permitted under the outline permission.

The proposal would use up the remaining B1(c)/B2 floorspace and the B8 floorspace has been exceeded through previous permissions (S6/2012/0217/MA, S6/2013/1184/MA, 6/2017/0624/MAJ).

Under the previous permissions a substitution formula was applied and this involved (a) re-allocating the exceeded B8 floor space to use class B1c/B2, and (b) re-calculating the amount of B1c/B2 floor space remaining on the site, using the UD calculation, set out at schedule 16 of the Section 106 Agreement for planning permission S6/1999/1064/OP.

This substitution formula principle has been applied under this application for the B8 and B2 uses. Though as no B1c/B2 floorspace

would remain the B1a/b floorspace would be re-calculated.

In order to calculate the amount of B1a/b floor space remaining on the business park, the applicant has converted the proposed B8 and B2 floorspace into UD using the using the table set out in schedule 16 of the Section 106 Agreement. These figures of 22UD and 32UD, combined with the proposed B1 element (7UD) have been deducted from the existing units of development for B1a/b uses on the business park (251UD), to give the remaining number of units of development (190UD) for B1a/b uses. This figure has then been converted back into square metres using the table set out in schedule 16 of the Section 106 Agreement, to give a figure of 19,043sqm of remaining B1a/b floor space once this proposal has been factored in.

The total remaining floor space to be built on the Business Park (taking into account this proposal) would amount to 21,074sqm – excluding hotel equivalent to 59 units of development. This calculation is considered to be correct and a fair estimation of reallocating floor space.

Taking account of the above, the development proposal would not exceed the outstanding quantum of development (and trips) remaining within the overarching consent. Given the acceptance of this level of trips, and that mitigation sought through the outline consent was deemed necessary and sufficient to accommodate the overall development flows, it is considered that the proposal would have no material impact in highway terms over that already accepted by the Highway Authority.

#### Access

Both points of access (primary / secondary) to the site are by way of existing constructed vehicle access points onto Mosquito Way. Both are formed as priority junctions, with 10m kerb radii, and carriageway width of 8m, provided with dropped kerb pedestrian / cycle provision.

The secondary access already serves as primary access for the distribution centre at this location. The Primary access is constructed in a similar form as that existing. No highway works are necessary to facilitate the development.

#### Servicing

The submitted ground floor plan shows the primary access to the site leading to the central turning area. The submitted tracking plan shows that vehicles can access and manoeuvre into and out of the site acceptably. Such an arrangement, secured as remaining available in perpetuity and not used for storage of further vehicles / items will minimise the risk of loading / unloading of vehicle transporters from Mosquito Way which would restrict available width and potentially undermine the safety of the access.

#### Car parking

The Hatfield Aerodrome SPG sets out the parking standards for the Business Park. The principle behind the parking strategy for the Business Park is to gradually limit parking provision over time for B1, B2 and B8 uses specifically with the aim of encouraging a shift to more sustainable modes of transport. Different parking standards are therefore provided for the start and end of the development.

In reality however the phased approach to parking provision has not been adopted in practice and as a result it is fair to adopt the standard for average provision across the delivery of the whole development.

The average provision for B1, B2 and B8 uses is as follows:

B1 – 1 space per 35sqm

B2 – 1 space per 45sqm

B8 – 1 space per 60sqm

The Hatfield Aerodrome SPG does not specify the maximum parking provision for the Sui Generis uses proposed. The Council's Parking Standards are clear with regard to motor trade related uses and states that showroom car sales should have a maximum provision of 3 spaces per 4 employees plus 1 space per 10 cars displayed. It is noted that this maximum standard is now taken as guidance only under the more recent Interim Car Parking Policy.

Applying the above ratios, the total estimated car parking provision for the site as indicated in the Hatfield Aerodrome SPG is 339 spaces.

276 on-site car parking spaces are proposed. Whilst this represents a shortfall of 63 spaces against the average Hatfield Aerodrome SPG provision, it is recognised that the car parking is also restricted off-site, thereby ensuring that the level of parking would not have an effect in car parking terms on the wider business park. Furthermore, the proposal includes a 103 space roof level car storage area which could be utilised for staff parking, if required, when this area is not at capacity.

Taking into account the above, it is considered that the proposal would provide an adequately acceptable level of car parking provision.

#### Cycle parking

The Welwyn Hatfield Parking Standards SPG sets out the cycle parking standards for different use classes. For B1, B2, B8 and showroom car sales, the cycle parking standard is 1 long term space per 10 full time staff.

The proposal would create 122 jobs, equating to 12 long term cycle spaces on the basis all staff are full time.

The proposal would provide sheltered storage for 36 bicycles under the vehicle ramp of workshop C. The level of provision, location of the cycle stores and their design are all acceptable.

The Welwyn Hatfield Parking Standards SPG also outlines that shower facilities is also an important consideration, particularly to accompany staff cycle parking and encouraging cycling to work. Each building would provide two male and two female showers which is considered adequately acceptable.

#### Sustainable transport

This development would have around 122 members of staff and is therefore likely to generate significant additional movements.

Paragraph 111 of the NPPF states that in such circumstances a travel plan should be provided.

The application is supported by a Travel Plan (by Vectos, April 2019).

The highways authority have reviewed this document and, following certain minor amendments, has deemed it to be acceptable. This travel

	<p>plan and its ongoing monitoring, support and engagement activities undertaken by the County Council can be secured through a planning obligation.</p>
<b>Flood risk &amp; Drainage</b>	<p>The Lead Local Flood Authority present no objection subject to conditions requiring the development to be carried out in accordance with the principles set out in the submitted surface water drainage assessment, and for a detailed surface water drainage scheme for the site based on the approved drainage strategy and sustainable drainage principles to be submitted and approved.</p> <p>These conditions can be secured with a grant of planning permission.</p>
<b>Ground conditions and pollution</b>	<p>The Environment Agency, Thames Water and Affinity Water have all been consulted for this application.</p> <p>The site is located in a source protection zone 2 (SPZ2), and therefore the proposed development will need to be dealt with in a way which protects the underlying groundwater.</p> <p>The Environment Agency and Affinity Water highlight that groundwater is particularly sensitive in this location because the proposed development site lies in an area where the chalk and lower gravel aquifer are polluted by bromate and bromide from an off-site source. It is therefore important that developments do not exacerbate this contamination nor interfere with the remediation and the key risk would concern the type of foundation and penetrative methods. Piling or other foundation designs using penetrative methods can result in risks to potable supplies from, for example, pollution/turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways.</p> <p>Policy R8 of the District Plan states that planning permission will not be granted for development which poses a threat to the quality of both surface and/or groundwater.</p> <p>Paragraph 170 of the NPPF advises that planning decisions should contribute to and enhance the natural and local environment by preventing new development from contributing to unacceptable levels of water pollution and remediating and mitigating contaminated land, where appropriate.</p> <p>The applicant is aware of a bromate and bromide plume that is contaminating the chalk and lower gravel aquifer, and previous investigations have revealed this to be at around 16 metres below ground level.</p> <p>In this case, continuous flight augering piles (CFA piles) are proposed in order to avoid penetration into the aquifer at 16 metres. Affinity water are satisfied with this foundation method however the Environment Agency have advised that further details are required and should be submitted and agreed through condition. This is because the submitted Contamination &amp; Land Quality Assessment (by Baynham Meikle Partnership Limited. Project Ref: LQA / JD /12690. First Issue. 13th February 2019) does not identify the issues associated with the site being located over the existing bromate and bromide groundwater pollution and it is not clear if the site investigation plan on page 34 is a proposal or map of drilled boreholes. As it cannot be reasonably concluded that the foundations design would not create a pathway for the contamination to migrate between shallow and deeper groundwater,</p>

	<p>it is considered that the condition requested by the Environment Agency is reasonable and necessary.</p> <p>Affinity water and Environment Agency also initially raised concern regarding the use of direct infiltration to dispose of surface water. This is due the potential presence of contaminated land and the risk for contaminants to remobilise and cause groundwater pollution. In addition, there may be likelihood of surface water from the car park and valet area to carry on oil and hydrocarbons.</p> <p>Affinity water also highlighted that 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 as this would help prevent further pollution in the event of a spillage or leak. The application does not include tanks or generators so it would not be reasonable or necessary for such requirements to be secured by planning condition. An informative will however be added to a grant of planning permission.</p> <p>The applicant has confirmed that surface water techniques will not be employed on the site. For the avoidance of doubt, a planning condition can require details to be submitted and agreed should such techniques plan to be utilised.</p> <p>Thames Water present no objection to the proposal having regard to surface water drainage and wastewater.</p>
<p><b>Biodiversity</b></p>	<p>The application is accompanied by an ecological assessment by Ecology Solutions. This includes an extended Phase 1 survey (January 2019) of the area including a badger survey, reptile survey, and ground based bat survey of trees and neighbouring buildings. It also references previous Phase 1 habitat surveys by Ecology Solutions from 2015 and 2017, which incorporated the present and adjacent site. The accompanying Phase 1 map identifies the area to consist largely of semi-improved grassland with some areas of amenity planting and hardstanding.</p> <p>In terms of protected species, the survey found no evidence of any bat roost features within trees associated with the site. Furthermore, no badger setts or further field signs of badgers were found and no reptiles were recorded.</p> <p>Policy R11 of the District Plan outlines that all new development will be required to demonstrate how it would contribute positively to biodiversity. This approach is broadly reflected in the NPPF. The NPPF also requires planning decisions to provide net gains for biodiversity.</p> <p>Hertfordshire Ecology have been consulted for this application and initially recommended a financial contribution for biodiversity offsetting as it was considered that net gains for biodiversity could not be achieved on-site. However, following extensive correspondence and dialogue between the applicant's ecological consultant, Hertfordshire Ecology and the Local Planning Authority, this recommendation was removed.</p> <p>The factors leading to Hertfordshire Ecology's initial recommendation being removed mainly comprised consideration of:</p> <ul style="list-style-type: none"> <li>- the creation of Ellenbrook Park through the original outline consent for the former Hatfield Aerodrome (which now includes</li> </ul>

	<p>the business park) and its continued management;</p> <ul style="list-style-type: none"> <li>- the absence of such a request for the extended outline consent in 2016 which included Plot 5100 amongst other remaining undeveloped sites (6/2015/2043/OUTLINE ) and;</li> <li>- subsequent planning applications for sites in the business park which had similar pre-development ecological conditions to the application site and proposed similar biodiversity enhancements.</li> </ul> <p>Biodiversity enhancements are restricted to additional native species planting in this case. Additional foraging, dispersal and nesting habitats for bats and birds will however be achieved as a result.</p> <p>Mitigation measures are also proposed, including a site walkover for hedgehogs before clearance and a low impact lighting scheme. Hertfordshire Ecology also advise best practice for vegetation clearance.</p> <p>Taking account of all of the above, it is considered that significant harm to biodiversity would not result and, in light of Hertfordshire Ecology's updated comments, the biodiversity enhancement measures proposed are considered to be adequately acceptable in this case.</p>
<b>Archaeology</b>	<p>A considerable amount of mainly prehistoric archaeology has been found in the area of the site. A large archaeological evaluation, carried out by Cotswold Archaeology in 1999, identified remains particularly of Late Bronze Age or Early Iron Age date throughout the former aerodrome. A number of trenches were within or in the general area of the proposed development, several of these containing pits and postholes of likely prehistoric date.</p> <p>Policy R29 of the District Plan states that where a proposal for development may affect remains of archaeological significance, or may be sited in an area of archaeological potential, developers will be required to undertake an archaeological assessment, if necessary with a field examination, and to submit a report on the findings to the local planning authority, before an application is determined. This approach is broadly consistent with the NPPF.</p> <p>This application has been supported by an Archaeological Written Scheme of Investigation (WSI), which, after minor amendments, has been considered acceptable by Hertfordshire County Council's Historic Environment Advisor. Adherence with this WSI can be secured through planning condition.</p>
<b>Planning Obligations</b>	<p>The original Section 106 agreement restricts the location, quantum, land use, and parking for the development within the Commercial Area. It does so through a series of interlocking covenants and restrictions and the application of a master plan. The fundamental purpose of the 2000 agreement was to ensure a comprehensive development of the site with strict controls over land use quantum and parking. It has successfully done so over the last 20 years despite a number of the applications being fresh applications rather than reserved matters submissions. In each case where an application which departs from the blueprint has been proposed, a deed of variation has been sought and obtained. The definition of "Permission" in the S106 Agreement is wide and includes "any other planning application covering all or part of the Application Site for any of the uses comprised in the Planning Application whether granted by way of variation, alteration, substitution</p>



	<p>addition or replacement thereto.”</p> <p>As the proposal involves a variation to the floorspace allocations contained in the original S106 Agreement for the development, a supplemental deed to the original Section 106 Agreement will be required.</p> <p>The original S106 has been amended in a supplemental deed to reflect the alterations in land use floorspace. Further to this, a £6000 contribution towards the ongoing monitoring, support and engagement activities undertaken by the County Council to support the travel plan has been secured. Both aspect are confirmed through a legal agreement as part of a grant of planning permission.</p>
<p><b>Conclusion</b></p>	<p>Although this proposal would not fully accord with the approved masterplan in respect of floorspace allocation for land uses and overall floorspace for the Business Park, it is considered that the proposed uses provide for an acceptable development in principle.</p> <p>Subject to conditions, the proposal would be acceptable in terms of design, noise, highway safety, parking, flood risk, ground conditions and biodiversity. The living conditions of nearby residential properties would be protected and there would be no harm to designated heritage assets.</p> <p>The travel plan is secured through a legal agreement and will promote and encourage sustainable modes of transport.</p> <p>The original S106 for the Hatfield Aerodrome has also been amended in a supplemental deed to reflect the alterations in land use floorspace.</p> <p>Taking account of all of the above, the proposed development is deemed to be acceptable in planning terms.</p>

**Conditions:**

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 &	10 October 2019

		Mezzanine Floor Plan	
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 Showroom - Sections	10 October 2019
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	10 October 2019

Section C-C			
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.

**Informatives:**

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.

**Determined By:**

Mrs Sarah Smith  
4 September 2020