

**WELWYN HATFIELD BOROUGH COUNCIL
ASSISTANT DIRECTOR (PLANNING)**

DELEGATED APPLICATION

Application No: 6/2022/1853/MAJ
Location: Eisai Europe Limited, European Knowledge Centre, Mosquito Way, Hatfield, AL10 9SN
Proposal: Construction of a 4,012sqm extension to the existing warehouse space (Use Class E) with associated plant and works including the relocation of a bicycle shelter, re-routed internal access road and landscaping
Officer: Mr David Elmore
Recommendation: Granted

6/2022/1853/MAJ

Context	
Site and Application description	<p>The application site is in the southern part of the Eisai Limited European Knowledge Centre site in Hatfield Business Park. The site boundary is adjacent to the existing production, warehouse and packaging lines building and includes an internal road, car parking, hardstanding and green space and is approximately 1.38 ha.</p> <p>Eisai is a pharmaceutical company, and the site incorporates a manufacturing plant, research laboratory, office building and shared facilities (Use Classes E (formally B1) and B8).</p> <p>There are two accesses to the Eisai site. All vehicles use the northern entrance of the site via Mosquito Way. The southern entrance to the site off Tamblin Way is for the use of emergency vehicles only.</p> <p>Planning permission is sought for a 4,012sqm extension to the existing production, warehouse and packaging lines building with associated plant and works including the relocation of a bicycle shelter, re-routed internal access road and landscaping. Photovoltaic panels are also proposed on the packaging facility roof.</p> <p>The proposed extension includes the following:</p> <ul style="list-style-type: none"> - Proposed extension/relocation to existing canopy of goods in/out area; - Additional goods in/out area with plant above; - Warehouse supporting area with plant above; - High bay warehouse; - Warehouse extension; and - Changing & packaging lines with offices & plant floor above. <p>It is noted that a large proportion of the footprint of the proposed eastern extension to the existing production, warehouse and packaging</p>

	<p>lines building was approved under application number 6/2006/1214/FP.</p> <p>The whole Eisai site has a total of 518 parking spaces. The proposed extension would result in a net loss of 16 parking spaces (46 spaces removed due to extension and 30 spaces proposed).</p> <p>The proposal will create jobs for an additional 40 members of staff.</p> <p>The site is in a designated employment area (EA6) as defined in Policy SADM10 of the Local Plan.</p>
Constraints	<p>LBC - LISTED BUILDING Staff mess offices 1934 by Geoffrey Monro for - Distance: 25.17</p> <p>EMPL - EA6 (Hatfield Business Park) - Distance: 0</p> <p>PAR - PARISH (HATFIELD) - Distance: 0</p> <p>Wards - Hatfield Villages - Distance: 0</p> <p>A4HD - Article 4 HMO Direction - Distance: 0</p> <p>FM30 - Flood Zone Surface Water 30mm (1875207) - Distance: 0</p> <p>FM30 - Flood Zone Surface Water 30mm (1900852) - Distance: 0</p> <p>FM10 - Flood Zone Surface Water 100mm (2725383) - Distance: 0</p> <p>FM10 - Flood Zone Surface Water 100mm (2725136) - Distance: 0</p> <p>FM10 - Flood Zone Surface Water 100mm (2725197) - Distance: 0</p> <p>FM10 - Flood Zone Surface Water 100mm (2725231) - Distance: 0</p> <p>FM10 - Flood Zone Surface Water 100mm (2725539) - Distance: 0</p> <p>FM10 - Flood Zone Surface Water 100mm (2725293) - Distance: 0</p> <p>FM10 - Flood Zone Surface Water 100mm (2764535) - Distance: 0</p> <p>FM00 - Flood Zone Surface Water 1000mm (7590072) - Distance: 0</p> <p>FM00 - Flood Zone Surface Water 1000mm (7590172) - Distance: 0</p> <p>FM00 - Flood Zone Surface Water 1000mm (7661739) - 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>A4DES - Article 4 Direction Employment Sites() - Distance: 0</p>
Relevant planning history	<p>Application Number: 6/2023/1634/FULL Decision: Granted Decision Date: 08 November 2023 Proposal: Retention of one of two Portakabin buildings installed following the planning approval ref: 6/2020/1740/FULL for a temporary period of three years</p> <p>Application Number: 6/2021/3240/FULL Decision: Granted Decision Date: 30 December 2021 Proposal: Erection of chemical storage units</p> <p>Application Number: 6/2021/2034/FULL Decision: Granted Decision Date: 06 October 2021 Proposal: Installation of three storage containers</p> <p>Application Number: S6/2013/1232/MA Decision: Granted Decision Date: 19 September 2013</p>

	<p>Proposal: Erection of two storey extension to provide 3000sqm of floor space for offices, laboratories, packaging lines and plant equipment (use class B1)</p> <p>Application Number: S6/2006/1214/FP Decision: Granted Decision Date: 19 February 2007 Proposal: Proposed phased development of a building to provide a total of 8,812sqm of accommodation for purposes within use class B1 and 2,338sqm of accommodation for purposes within class B8, together with associated car parking, access and landscaping. (Application made in conjunction with an application on adjacent land to enable the provision of a B1/B8 headquarter campus development)</p> <p>Application Number: S6/2006/1210/FP Decision: Granted Decision Date: 19 February 2007 Proposal: Proposed phased development of buildings to provide a total of 14,318sqm of accommodation for purposes within use class B1, with associated car parking, access, landscaping and other ancillary buildings. (Application made in conjunction with an application on adjacent land to enable the provision of a B1/B8 headquarters campus development)</p> <p>Application Number: S6/2005/0872/FP Decision: Granted Decision Date: 11 October 2005 Proposal: Variation of Condition 2 Attached to Outline Planning Permission S6/1999/1064/OP to Allow an Additional 5 Years for Submission of Reserved Matters (Up to 29/12/2015)</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 hand standing area 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 hanger; 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>		
Consultations			
Neighbour representations	Support: 1	Object: 1	Other: 0
Publicity	<p>Site Notice Display Date: 14 September 2022 Site Notice Expiry Date: 5 October 2022 Press Advert Display Date: 31 August 2022 Press Advert Expiry Date: 21 September 2022</p>		
Summary of neighbour	Objection from No.35 Clarkson Court summarised as follows:		

responses	<ul style="list-style-type: none"> - Noise, water, and air pollution - Construction traffic noise, jams, and pollution - Solar panels may cause uncontrolled concentrated sun ray reflections over surrounding residential buildings which may lead to fire or damage to the surrounding properties - Chemical/pharmaceutical manufacturing being located very close to densely populated areas put residents to high health risk due to unknown often hazardous substances being delivered/handled at the site. <p>Support from Local Enterprise Partnership on strategic economic grounds.</p>
Consultees and responses	<p>Hatfield Town Council – comments summarised as follows:</p> <ul style="list-style-type: none"> - This is a large extension. In removing green space and trees the impact of the new building will be felt quite widely. We welcome solar energy production and hope that expansion on the site will lead to more well-paid jobs on the site. <p>WHBC Public Health & Protection – Conditions recommended.</p> <p>WHBC Landscapes Department – No objection. Conditions recommended.</p> <p>Place Services (Conservation) – No objection. Conditions recommended.</p> <p>Hertfordshire Highways – Conditions recommended.</p> <p>HCC Historic Environment Advisor – No comment</p> <p>Hertfordshire Ecology – Condition recommended.</p> <p>Affinity Water – Conditions recommended.</p> <p>Thames Water – No objection</p> <p>Historic England – No comment</p>
Relevant Policies and Guidance	
<p>National Planning Policy Framework (NPPF)</p> <p>The Welwyn Hatfield Borough Council Local Plan 2016-2036 (Local Plan):</p> <ul style="list-style-type: none"> • SP1 Delivering Sustainable Development • SP2 Targets for Growth • SP3 Settlement Strategy and Green Belt Boundaries • SP4 Transport and Travel • SADM2 Highway Network and Safety • SADM3 Sustainable Travel for All • SP8 The Local Economy • SADM10 Employment Development • SP9 Place-making and High-Quality Design • SADM11 Amenity and Layout • SADM12 Parking, Servicing and Refuse • SP10 Sustainable Design and Construction • SADM13 Sustainability Requirements • SADM14 Flood Risk and Surface Water Management • SP11 Protection and Enhancement of Critical Environmental Assets • SADM15 Heritage 	

- SADM16 Ecology and Landscape
- SADM18 Environmental Pollution
- SP13 Infrastructure Delivery

Planning Guidance:

- Hatfield Aerodrome Supplementary Planning Guidance 1999
- Supplementary Design Guidance 2005
- Supplementary Planning Guidance Parking Standards 2004
- Interim Policy for Car Parking Standards and Garage Sizes 2014
- Planning Obligations Supplementary Planning Document 2012
- Planning Practice Guidance
- National Design Guide

Others:

- Hertfordshire Waste Development Framework 2012
- Hertfordshire's Local Transport Plan (2018 – 2031) 2018
- Manual for Streets

Main Issues

Principle of proposed development

The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. This includes commercial development and supporting infrastructure in a sustainable manner. Paragraph 85 outlines that planning decisions should help create the conditions in which businesses can invest, expand, and adapt and 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 Local Plan sets out the Council's long term spatial vision for the borough. Borough-wide strategic objectives include, amongst other things:

- Providing for the borough's development needs over the plan period while maintaining the settlement pattern and protecting areas of highest environmental value;
- Directing the majority of new development to the main towns, minimising travel, and maximising redevelopment of previously developed land;
- Maximising the opportunities to travel by sustainable transport modes and manage parking demand;
- Delivering high design standards reflecting local character;
- Protecting and, where possible, enhancing the borough's historic and natural environment, its cultural assets and networks of open space, urban and rural landscapes; and
- To enable Welwyn Garden City and Hatfield to fulfil their role as the main centres of economic activity in the borough.

Policy SP1 of the Local Plan provides a set of guiding principles on sustainable development. This includes, amongst other things: Supporting economic growth, directing new development to sustainable

locations which prioritises previously developed land, protecting natural and heritage assets, and promotion of sustainable design and construction.

Policy SP2 supports levels of employment which are consistent with the vision and objectives of the strategy and the principles of sustainable development. Over the plan period, provision will be made for a net increase of at least 55,000sqm of new floorspace for industry, offices and warehousing which will allow for a sufficient supply of jobs in the borough and provide the opportunity for new employment floorspace.

Policy SP3 states that, consistent with the settlement hierarchy, the primary focus for new development will be in and around the two towns of Welwyn Garden City and Hatfield. Development that would either result in disproportionate growth to any settlement, conflict with the function and position of a settlement within the hierarchy, cannot support the necessary infrastructure or result in a loss of services and facilities which are key to supporting local communities will be resisted.

The application site is situated within the context of the wider Hatfield Business Park, which is designated as an employment area (EA6), under Policy SADM10 of the Local Plan.

Policy SADM10 states that in the designated employment areas, subject to other policies in the plan, planning permission will be granted where:

- i. Development is for the use classes set out in Table 1*
- ii. Any retail elements of the development would clearly be ancillary to the main business use and the extent controlled by condition or planning obligation accordingly. Where necessary, conditions will be used to restrict changes between different uses falling within the same Use Class*
- iii. New industrial, storage, office and research buildings (currently Use Classes B and E(g)) will be subject to conditions or planning obligations to restrict changes to different uses falling within the same use class and/or allowed under permitted development rights. On existing sites, the Council will consider the use of Article 4 Directions to remove permitted development rights where necessary.*

The proposed development is for uses classes set out in Table 1 and does not include any retail elements.

In terms of limb (iii), the Council has put in place an Article 4 Direction to prevent the loss of employment space in EA6 to residential. As the proposal is an extension to an existing use, it is not necessary to impose a restrictive use class condition.

The proposed development accords with Policy SADM10 of the Local Plan and is supported by strategic Policy SP8.

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.

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:

- Promote sustainable development on the site;
- Provide for a mix of uses on the site;
- Promote economic development on the site to help replace the jobs lost when BAe closed; and
- Provide work and homes for local people.

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 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. The Business Park is now largely complete and a total of 197,996sqm of development (plus hotel) was permitted at the Business Park.

The floor area of the proposed development exceeds the quantum of undeveloped floorspace within the outline consent for redevelopment for the former Hatfield Aerodrome within which the site lies.

Notwithstanding this, the application must still 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. 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.

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 further development of this site, in accordance with paragraph 1.2 of the Hatfield Aerodrome SPG and paragraph 85 of the NPPF.

Paragraph 1.2 of the SPG states:

“This SPG 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.”

The proposed development represents an important employment investment in the area creating an additional 40 new staff for the

	<p>existing established EISAI business 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. There would also be economic benefits during the construction phase as well as additional spending in the area.</p> <p>The proposal maximises previously developed land in a primary area for new/additional employment development and will enable the existing EISAI business to invest and expand. The proposal will also assist in meeting the borough's development (commercial) needs over the plan period while maintaining the settlement pattern and supporting necessary infrastructure.</p> <p>While the floor area of the proposal exceeds the quantum of undeveloped floorspace within the outline consent, there is no in principle objection subject to there being no physical or environmental constraints to the development. These are discussed below.</p>
<p>Design (form, size, scale, siting) and Character (appearance within the streetscene)</p>	<p>Policy SP9 of the Local Plan states that proposals will be required to deliver a high-quality design that fosters a positive sense of place by responding to the following applicable principles: responding to character and context; legible, permeable, and well connected; high quality landscaping; space for nature; safe and secure; and building form and function.</p> <p>The supporting text to Policy SP 9 outlines that development proposals should be informed by the Council's SDG and Supplementary Planning Documents, amongst others.</p> <p>The Council's SDG includes information about the character and context of areas in the borough and that new development should be sympathetic to local character. The National Design Guide 2021 (NDG) is also a material consideration. The NDG outlines that good design involves careful attention to the context for places and buildings and hard and soft landscape (amongst others), and a well-designed place is made up of the following components: layout, form, scale, appearance, landscape, materials, and the details of the building.</p> <p>The NPPF is broadly consistent with the above.</p> <p>The application site forms part of an existing commercial business (EISAI) at Hatfield Business Park. EISAI comprises several interconnected buildings of varying height and scale.</p> <p>To the north and west of the EISAI site are large office buildings. To the east is Hatfield Police Station – a two storey Grade II listed building. South of the site, on the opposite side of Tamblin Way, are five and six storey blocks of flats and a five-storey care home. Further, to the south-west, is a large former flight test hanger building (Grade II* listed) now occupied by David Lloyd.</p> <p>The proposed development will extend EISAI's EML (manufacturing) building south-west toward Tamblin Way and south-east towards Goldsmith Way. The development would be undertaken in three phases as set out below:</p> <p>Phase 1 - Extension to the existing goods in/out building</p> <p>Phase 2 - New automated warehouse and support area</p> <p>Phase 3 – New two-storey packaging/office building</p>

The Phase 1 extension would match the height, proportions and appearance of the goods in/out building and extend this part of the building 21 metres to the south-east. The existing canopy structure for the goods in/out building would also be widened.

The Phase 2 warehouse would be the largest proposed extension to the building. It would wrap around the existing warehouse building in an L-shape and have a maximum height of approximately 21.75 metres. This height is not significantly taller than the existing warehouse building it would adjoin. The stepped height of this extension and matching proportions and materials to that of the existing warehouse building will mitigate its visual scale, ensuring it will not appear as a dominant feature in relation to the existing building and wider context.

The Phase 3 packaging/office building will extend the existing two-storey production building 22.4 metres south toward Tamblin Way. The extension will match the height, form, proportions, and appearance of the production building.

Combined, the proposed extension would represent a significant increase in the footprint and scale of the existing building. Notwithstanding this, it would be sympathetic to and sit comfortably with the existing building. Sufficient separation distance would be maintained from the site's boundaries to ensure that the extended building would not appear cramped or overdeveloped within its plot. Also, the extension/extended building would respect neighbouring buildings and the surrounding context in terms of height, mass, and scale.

In terms of landscaping, the proposed extensions and altered internal access route would necessitate the removal of 47 individual trees, part of one tree and part of one hedgerow. All trees to be removed are classified as low quality (Category C). The application has been supported by landscape proposal which proposes considerable tree planting. The Council's Landscapes Department have been consulted and consider the landscape proposals to be sufficient to mitigate for the loss. Details of planting methods and aftercare have been requested and this can be secured by condition. The application has also been supported by a Tree Protection Plan which is considered robust and sufficient. Adherence with this Tree Protection Plan can also be secured by condition. The proposed development includes appropriate and effective landscaping and there is no objection on landscape grounds.

In terms of ecology, Hertfordshire Ecology have been consulted for the application and raise no objection. Sufficient survey effort has been made to establish the ecological value of the site, there are no notable species present and no ecological constraints. The application has also been supported by Biodiversity Net Gain (BNG) Report demonstrating that, in accordance with Policy SADM16 of the Local Plan, BNG more than 10% can be achieved through on-site and wider site enhancements. The BNG Report has been reviewed and accepted by Hertfordshire Ecology and the BNG requirement over a 30-year period is to be secured as part of a legal agreement.

In other matters related to Policy SP9, new routes within the site connect to existing routes and are safe. Existing accesses would also be unaffected by the proposal. There are no legibility, permeability or

	<p>connectively issues arising from the proposed development. There are also no design safety or security issues noting that the proposal is for an extension to an existing building within an established and very well secured site.</p> <p>Now turning to heritage. The site is located within close proximity to four listed buildings:</p> <ul style="list-style-type: none"> • Grade II listed former British Aerospace Offices (list entry no: 1251143) - now part of Hatfield Police Station; • Grade II listed former British Aerospace Staff Mess (list entry no: 1262931) - now part of Hatfield Police Station; • Grade II listed former British Aerospace Gatehouse to the south of the former Staff Mess (list entry no: 1251144); and • Grade II* listed former Flight Test Hangar and Offices (list entry no: 1376561) - now the David Lloyd gym. <p>As required under Section 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, special regard shall be had to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.</p> <p>Paragraphs 205, 206 and 208 of the NPPF are of particular relevance and Policy SADM15 is consistent with the NPPF in terms of heritage.</p> <p>The Council's Built Heritage Consultant has been consulted for this application and raises no objection as the significance of the listed buildings are not harmed and their special interest is preserved, as per Section 16 of the NPPF and Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.</p> <p>Historic England have also been consulted and do not raise any issues.</p> <p>Taking account of the above, and subject to a legal agreement to secure the BNG as well as conditions (where relevant), it is considered that the proposed development accords with Policies SP9, SADM15 and SADM16 of the Local Plan, the Council's SDG, NDG, and the NPPF in terms of design.</p>
<p>Impact on neighbours</p>	<p>Policy SADM11 of the Local Plan concerns amenity and layout and states that all development will be required to create and protect a good standard of amenity for buildings and external open space.</p> <p>Paragraph 135(f) of the NPPF outlines, amongst other things, that planning decisions should ensure that developments create places with a high standard of amenity for existing and future users.</p> <p>The nearest residential properties are located to the south and south-west of the application site on the opposite side of Tamblin Way. These are Hatfield Nursing Home and flats at both Clarkson Court and Parkhouse Court. The flatted block at Clarkson Court is 6-storeys in height while Hatfield Nursing Home and the flats at Parkhouse Court are 5-storeys in height.</p> <p>The proposed development would be separated from Hatfield Nursing Home by approximately 46.5 metres, Clarkson Court by approximately</p>

42 metres, and Parkhouse Court by approximately 48 metres.

The width, depth, height, orientation, and proximity of the extensions to neighbouring properties will ensure that they will not appear unduly dominant from neighbouring residential properties or cause any adverse loss of light. For the same reasons, all flats would maintain acceptable levels of outlook.

In terms of privacy, windows on the south elevation of the proposed extension would face toward these residential properties. The significant majority are at ground floor. At first floor, there are two windows serving offices and another window serving a staircase/landing. The separation distance between this elevation and the facing residential properties will ensure that a reasonable degree of privacy is maintained.

Hatfield Police Station and Magistrates Court is also located in proximity to the proposed extension. The proposed extension would not however detract from the standard of amenity for users of these buildings.

Other sensitive receptors include Halford Court and Howe Dell School to the west but their separation distance from the application site will ensure that the amenity of users will not be affected by the development.

No.35 Clarkson Court has objected to the application on grounds including noise pollution, air pollution, potential sun ray reflections from solar panels causing fire or damage to surrounding properties, and proximity of Chemical/pharmaceutical manufacturing in terms of health risks.

The application has been supported by a Noise Impact Assessment (by AECOM, July 2022) which includes consideration of operational noise limits for any fixed plant and building services associated with the proposed development, as experienced at nearby receptors, and operational changes in road traffic. The assessment has been reviewed by the Council's Public Health & Protection Team who recommend conditions controlling hours of works/operations and manned noise surveys to ensure that any new plant and equipment will protect neighbouring occupants from noise disturbance.

The recommended condition relating to hours of works/operations relates to 'noisy works' which is not precise and does not meet the condition tests. It is also a salient point that there are powers outside of Planning to enforce hours of construction works which are unreasonable/give rise to a statutory nuisance. Some residents will experience construction and traffic noise, but these sources will not give rise to a significant effect.

The recommended condition regarding plant and equipment is necessary to protect the living conditions of residential neighbours in terms of noise.

In terms of air quality, the application site is not located within an Air Quality Management Area and the Council's Public Health & Protection Team have not identified any issues/concerns relating to air quality. It is considered that the proposal is unlikely to result in an unacceptable risk to human health and the natural environment from air pollution. It is noted that the Highways Authority have recommended a Construction Management Plan (CMP) is secured by condition. This is reasonable

	<p>and the CMP will require, amongst other things, that dust is controlled to protect highway safety and the amenity of users of the public highway. Such measures will also be effective in controlling any dust spray to neighbouring occupiers/users.</p> <p>In response to the concerns raised regarding the solar panels and Chemical/pharmaceutical manufacturing, there is no evidence before the Local Planning Authority to substantiate any health or safety risks.</p> <p>Having regard to all the above and, subject to conditions, the proposed development would protect the amenity of neighbouring residents/occupiers. Here, the development would accord with Policies SADM11 and SADM18 of the Local Plan, the Council's SDG, and the NPPF.</p>
<p>Highways and parking</p>	<p><u>Highways</u></p> <p>Paragraph 114 of the NPPF states that developments should ensure <i>“safe and suitable access to the site can be achieved for *all* users”,</i> and that <i>“appropriate opportunities to promote sustainable transport modes can be – or have been – taken up”</i>. It references the new National Model Design Code, of which key quotes include: <i>“New development should contribute to the creation of well-lit, direct and overlooked pedestrian and cycle routes”</i> and <i>“all streets should be accessible to all members of the community”</i> (paragraph 59 part 1); plus <i>“walking and cycling should be the first choice for short local journeys, particularly those of 5 miles or less”</i> (paragraph 33 part 2).</p> <p>Paragraph 115 of the NPPF states that <i>“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”</i>.</p> <p>Paragraph 116 goes on to states that <i>“Within this context, applications for development should:</i></p> <ul style="list-style-type: none"> a) <i>give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;</i> b) <i>address the needs of people with disabilities and reduced mobility in relation to all modes of transport;</i> c) <i>create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;</i> d) <i>allow for the efficient delivery of goods, and access by service and emergency vehicles; and</i> e) <i>be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations”</i>.

Policy SADM2 of the Local Plan concerns the highway network and safety and is consistent with the NPPF.

The application has been supported by a Transport Statement (by AECOM, 27 July 2022), Framework Travel Plan (by AECOM, 27 July 2022) and Construction Logistics and Constraints Report (by AECOM, 22 June 2022). The Highway Authority have been consulted for this application and do not wish to restrict the grant of permission subject to a condition securing a CMP and an S106 Obligation to secure a Travel Plan.

Outline consent at former Aerodrome site and Units of Development.

The quantum of development floorspace permissible at the site is limited by the extant Section 106 agreement to the original application, 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.

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. 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.

In this case, the proposed development would result in the maximum B8 permitted floorspace limit being exceeded. However, applying the established UD re-calculation formula between B8 floorspace and remaining B1a/b floorspace, it is considered that the proposal would not exceed the outstanding quantum of development (and trips) remaining within the overarching consent and would not have a material impact in highways terms over that already accepted by the Highway Authority.

Trip generation

The Transport Statement advises that there will be circa 40 new staff members (split across three general shifts). In the worst case scenario, this will result in a total of 80 vehicle movements daily. Considering the size of the development, the fact that the extension will continue the existing uses on the site, and that the site is in close proximity to the major road network, the Highway Authority deem it unlikely that the

proposed development will have a material impact on the local highway network. The outcome of the UD approach supports this.

Vehicular access

The site currently benefits from a main vehicular access from Mosquito Way and emergency and servicing access from Tamblin Way. The submitted Transport Statement advises that it is proposed to retain these existing accesses to serve the development. The Highway Authority are satisfied that, as the proposed development is an extension of the existing facilities, the continued use of these accesses is acceptable in principle.

Refuse and recycling, and servicing

No details of the refuse and recycling facilities have been provided with this application. It is understood that the existing waste facilities will continue to be utilised but, for assurance, details will be secured by condition to ensure compliance with Policy SADM12 of the Local Plan in terms of refuse provision.

In terms of servicing, the Transport Statement outlines that the proposed extension will result in an increase in three HGV trips per day. The Highway Authority are satisfied that this is not a material increase and the site will be able to accommodate such large vehicles.

Construction management

The submitted Construction Logistics and Constraints Report is missing information in relation to the construction process. It is not in accordance with HCC guidance. A full CMP is required, and this can be secured by condition.

Travel Plan

The submitted Travel Plan is in draft and requires amending to be acceptable. A new Travel Plan, including support and monitoring, has been secured as part of a legal agreement and will assist in the proposed development promoting sustainable transport.

Parking

Car parking

The site currently benefits from 518 car parking spaces. A total of 46 parking spaces are proposed to be lost as part of the development, and a total of 30 new spaces provided – resulting in a net loss of 16 parking spaces.

Paragraph 107 of the NPPF states that if setting local parking standards for residential and non-residential development, policies should take into account:

- a) the accessibility of the development;
- b) the type, mix and use of development;
- c) the availability of and opportunities for public transport;
- d) local car ownership levels; and
- e) the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.

Policy SADM12 states that the type and quantum of vehicle and cycle parking provided within development proposals will be informed by the standards set out in the Council's parking standards taking account of:

- a) The site's location and accessibility to public transport, services and facilities;
- b) The nature and degree of parking demand likely to be associated with the development and opportunities for shared parking; and
- c) The need to promote more sustainable forms of travel within the borough.

The Council's Parking Standards (SPG) use maximum standards which are not consistent with the above criteria in the NPPF and Local Plan and are therefore afforded less weight.

The submitted Planning Statement explains that the net loss of car parking spaces can be mitigated by the changes to the working practices post-Covid-19 where more people will be working from home.

The submitted Hybrid Working and Car Parking Further Information Written Statement (Hybrid Working & Parking Statement) states that The Eisai Limited European Knowledge Centre knowledge employs 711 employees in the UK (numbers as of 31st March 2022). A small number are field based, and the remaining are based out of the Hatfield site.

The Hybrid Working & Parking Statement then goes on to explain that since the government and company restrictions were lifted (1st April 2022), the policy has changed so that all hybrid employees are now required to work in the office 6-8 days per month. Site based employees are based on site full time (some areas on shift systems). The increase in headcount because of the proposed development would mean an additional 40 employees, of which 75% (30) would be site based and will include shift systems so not all would be on site at the same time. There are currently no plans to change this hybrid working approach on the site.

Post-Covid-19, there is an average of 317 people per day across the site. It is also appreciated that these numbers do not directly translate to cars on site/car parking as not everyone drives a car to work as some staff walk, cycle or car share owing to the site's sustainable location. The business continues to promote a Green Travel Plan and one has been secured under this application. Ample free parking spaces were also witnessed on-site during the officer site visit (mid-morning weekday).

It is clear from the submitted information that footfall on the site post-Covid-19 is well below the existing and proposed parking capacity. The current hybrid working approach however is not and cannot be guaranteed. That said, the impact of Covid-19 is a factor which attracts some weight toward the proposed net reduction in parking provision in this case.

There is no evidence before the Council of parking pressures/overspill parking at the EISAI site pre-Covid-19. Off-site parking is also heavily restricted. Having regard to these factors, together with the sustainable

	<p>location of the site, Travel Plan provision, nature and degree of parking demand likely associated with the development, and impact of Covid-19 on working approaches, it is considered that the proposed parking provision in this case would be acceptable.</p> <p><i>Cycle parking</i></p> <p>The application description includes the relocation of a bicycle shelter however it is not known from the submitted information where this shelter is located, how many cycles it serves, where it would be relocated, or proposed cycle provision. Details can be secured by condition to ensure that the development facilitates an appropriate level of type of cycle provision.</p>
<p>Flood risk and sustainable drainage</p>	<p>Paragraph 173 of the NPPF outlines that when determining any planning application, local planning authorities should ensure that flood risk is not increased elsewhere.</p> <p>Paragraph 175 of the NPPF states that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:</p> <ul style="list-style-type: none"> a) take account of advice from the lead local flood authority; b) have appropriate proposed minimum operational standards; c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and d) where possible, provide multifunctional benefits. <p>Policy SP10 and SADM14 of the Local Plan relate to flood risk and surface water management is broadly consistent with the NPPF.</p> <p>The application has been supported by a Flood Risk Assessment (rev. P03, dated 25 August 2023), a Drainage Strategy Report (rev. P05, dated 23 August 2023), and further supporting information in response to initial issues raised by the Lead Local Flood Authority (LLFA).</p> <p>The LLFA have been consulted and present no objection subject to conditions. The conditions will secure compliance with the submitted Flood Risk Assessment; submission and approval of construction drawings of the surface water drainage network, associated sustainable drainage components and flow control mechanisms and construction method statement, following by a survey and verification report to demonstrate compliance; submission and approval of, and compliance with, maintenance and management of sustainable drainage scheme; and submission and approval of, and compliance with, a method statement for interim and temporary drainage measures during the demolition and construction phases.</p> <p>The conditions recommended by the LLFA are necessary and reasonable and will ensure compliance with the above relevant policies.</p>
<p>Contaminated land</p>	<p>Policy SADM18 of the Local Plan concerns environmental pollution and states, amongst other things, that planning applications for proposals on land formerly used for industrial, commercial or utilities purposes, or land which is considered to be contaminated or potentially</p>

	<p>contaminated, must be accompanied by a preliminary Contaminated Land Risk Assessment. Also, proposals which, by their nature, risk contributing to soil and water pollution will be required to demonstrate how this risk will be avoided or mitigated to an acceptable level.</p> <p>The NPPF outlines in paragraph 180 that new development should not cause unacceptable levels of soil or water pollution, and paragraph 189 goes on to say that planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from contamination (and land instability).</p> <p>The proposed development site is located within an Environment Agency defined groundwater Source Protection Zone (SPZ) corresponding to Pumping Station (HATF). This is a public water supply, comprising a number of Chalk abstraction boreholes, operated by Affinity Water Ltd. The site is also located within an area that is impacted by Bromate contamination.</p> <p>The application has been supported by a Ground Investigation Technical Note (by AECOM, 02 March 2023).</p> <p>Both Affinity Water and Thames Water have been consulted for this application. Thames Water do not object, but Affinity Water recommends a series of conditions to prevent contamination – through preventing a pathway between upper and lower aquifers which would risk the migration of the bromate plume. These conditions include submission and approval of a scheme to deal with the risks associated with contamination; a Piling Method Statement and Foundation Works Risk Assessment should pile foundations be used; a verification report; and details of a Surface Water Drainage Scheme that prevents contamination of any public water supply abstractions present.</p> <p>The conditions recommended by Affinity Water are necessary and reasonable and will ensure compliance with the above relevant conditions.</p>
<p>Sustainability requirements</p>	<p>The environmental objective of sustainable development includes, amongst other things, mitigating and adapting to climate change and moving to a low carbon economy.</p> <p>Policy SP10 of the Local Plan outlines that proposals that adopt sustainable design and construction principles will be supported. The headings of the principles are materials and waste; water sensitive design, energy and climate change; and landscaping and biodiversity.</p> <p>The development's approach to water sensitive design and landscaping and biodiversity have been discussed.</p> <p><u>Materials and waste</u></p> <p>The submitted Construction Logistics and Constraints document submitted with this application provides waste management details for the proposed development, as well as sustainable material procurement. Compliance can be secured through condition.</p> <p><u>Energy and climate change</u></p> <p>Policy SADM13 of the Local Plan states the following (where relevant):</p> <ul style="list-style-type: none"> <i>i. All major development proposals must demonstrate that they have sought to maximise opportunities to renewable and low carbon sources of energy supply where consistent with other</i>

	<p><i>Local Plan policies; and</i></p> <p>ii. <i>All non-residential development with a floorspace of 1,000sqm or more will be required to meet at least BREEAM ‘Excellent’ unless it is demonstrated that it is not technically feasible or viable to do so, in which case such proposals will be required to demonstrate a ‘Very Good’ rating.</i></p> <p>The application has been supported by a Sustainability Statement (by AECOM, July 2022) and a BREEAM Position Update (by AECOM, November 2023).</p> <p>The Sustainability Statement outlines how the development will aim to minimise energy demand, comprising energy efficiency measures, utilising local energy resources, and low and zero carbon technologies. This includes, amongst other things, energy efficiency building fabric and services, connection of the proposed development to the site’s existing energy centre, air source heat pump technology and roof level photovoltaics.</p> <p>It has been demonstrated that opportunities to maximise renewable and low carbon sources of energy supply have been sought and a condition can ensure compliance with the sustainable energy sources proposed.</p> <p>The BREEAM Position Update details that a target score of 70.44% can be achieved which equates to a BREEAM ‘Excellent’ rating. Best endeavours will be made to deliver such rating however as the score is below the at least 5% recommended buffer, the rating may be reduced to ‘Very Good’ through the process as the design evolves. The technical justification for not achieving a BREEAM target with a higher margin and consequential risk is as follows:</p> <p><i>“Many of the credits, that were not originally targeted, that require action at RIBA Stage 2 are not considered to be technically feasible to achieve at the current stage, and therefore are not possible. Due to the current status of the design we have missed the opportunity to deliver these RIBA Stage 2 credits, constraining the pool of available credits. Examples of this include; Man 01 (Part C), whereby to date a BREEAM AP has not been appointed and Man 02 (Part A) whole life cycle costing has not been completed, hence this cannot be secured retrospectively.”</i></p> <p>The technical feasibility issues which could reduce the rating to ‘Very Good’ are not disputed. It is also appreciated that the application was submitted and initial BREEAM Pre-Assessment carried out when the new Local Plan was emerging and at a time when there was uncertainty surrounding adoption.</p> <p>Subject to the suggested conditions, it is considered that the proposed development would be in accordance with Policy SADM13 of the Local Plan and strategic Policy SP10 in this respect.</p>
<p>Environmental Impact Assessment</p>	<p>A screening opinion has not been sought at this site for the development proposed to determine whether it is likely to have a significant effect on the environment and therefore require an EIA.</p> <p>The proposed development is not contained within Schedule 1 of the EIA Regulations. It is however Schedule 2 development as the area of the development exceeds 0.5 hectares (10(a)). It is however</p>

	considered that the proposal would not be likely to have significant environmental effects subject to normal planning controls. Accordingly, the proposal is not considered to be EIA Development and does not require full environmental assessment.
Conclusion	
Subject to a legal agreement (securing a deed of variation to the principal deed; 10% net gain for biodiversity; and a Travel Plan) and the suggested conditions, the proposed development would be acceptable in planning terms, having regard to the Council's Local Plan, the NPPF, and other material considerations.	

Conditions:

1. Development must not commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Management Plan shall include details of:
 - a) Construction vehicle numbers, type, routing;
 - b) Access arrangements to the site;
 - c) Traffic management requirements;
 - d) Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
 - e) Siting and details of wheel washing facilities;
 - f) Cleaning of site entrances, site tracks and the adjacent public highway;
 - g) Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
 - h) Provision of sufficient on-site parking prior to commencement of construction activities;
 - i) Post construction restoration/reinstatement of the working areas and temporary access to the public highway; and
 - j) Where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements.

REASON: To protect highway safety and the amenity of other users of the public highway, in accordance with Policy SADM2 of the Welwyn Hatfield Borough Council Local Plan and the National Planning Policy Framework.

2. Development must not commence until construction drawings of the surface water drainage network, associated sustainable drainage components and flow control mechanisms and a construction method statement have been submitted to and approved in writing by the Local Planning Authority.

The scheme shall then be constructed as per the agreed drawings, method statement, Drainage Strategy (Ref. ESL-ACM-CXX-XX-RP-C 0002, rev. P05 dated 23 August 2023) and Drawings (Ref. ESL-ACM-XX-ZZ_DR_C 0501, rev. P03, dated 23 August 2023) and remaining in perpetuity for the lifetime of the development.

REASON: To ensure the development achieves a high standard of sustainability and to prevent flood risk, in accordance with Policies SP10 and SADM14 of the Welwyn Hatfield Borough Council Local Plan, and the National Planning Policy Framework.

3. Development must not commence until details and a method statement for interim and temporary drainage measures during the demolition and construction phases have been submitted to and approved in writing by the Local Planning Authority.

This information must provide full details of who will be responsible for maintaining such temporary systems and demonstrate how the site will be drained to ensure there is no increase in the off-site flows, nor any pollution, debris and sediment to any receiving watercourse or sewer system.

The site works and construction phase must thereafter be carried out in accordance with approved method statement.

REASON: To prevent flooding and pollution offsite in accordance with Policies SP10 and SADM14 of the Welwyn Hatfield Borough Council Local Plan, and the National Planning Policy Framework.

4. Development must not commence until the following components of a scheme to deal with the risks associated with contamination of the site have been submitted to and approved in writing by the Local Planning Authority:

- i. A site investigation scheme in accordance with the ground investigation technical note dated 02/03/23 as discussed (EML Facility Expansion GI Technical Note by AECOM), to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. This should include an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, pests, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments. In particular, the site investigation shall determine:

- The depth and thickness of the clay aquitard layer between the upper and lower aquifers;
- Monitoring of the bromate groundwater concentrations in the upper and lower aquifers; and
- A risk assessment of the potential for a piled foundation solution to connect the upper and lower aquifers and the potential impact on water quality, with focus on Bromate.

- ii. The site investigation results and the detailed risk assessment and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. Should the approved development require piled foundations, the results of the site investigation will inform the pile design and Foundation Works Risk Assessment, subject of Condition 5.

- iii. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (ii) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property, and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other

offsite receptors, in accordance with Policy SADM18 of the Welwyn Hatfield Borough Council Local Plan and the National Planning Policy Framework.

5. Should the development require piled foundations, no piling shall take place in connection with the development until a Piling Method Statement and Foundation Works Risk Assessment (FWRA) have been submitted to and approved in writing by the Local Planning Authority.

The Piling Method Statement should include:

- The total depth and type of piling to be undertaken;
- The piling methodology;
- Measures to prevent and minimise the potential for mobilising contaminants; and
- The programme for works.

The FWRA should include:

- Risk based analysis of the following pollution scenarios:
 - Creation of preferential pathways, through the low permeability layer (aquitard), to allow potential contamination of the underlying aquifer;
 - Creation of preferential pathways, through the low permeability layer (aquitard), to allow upward migration of contamination to the overlying aquifer;
 - The driving of solid contaminants into an aquifer during pile driving;
 - Contamination of groundwater by concrete, cement paste or grout.
- The risk assessment will cover the site-specific scenario/condition (mentioned above), potential pollution considerations, risk assessment, potential risk, mitigation measures and residual risk level.

In the event the FWRA indicates an unacceptable risk of the creation of a bromate pathway through the clay aquitard layer to the upper gravels, an alternative solution that does not require piling through the clay aquitard layer must be sought, details of which must be submitted to and approved in writing by the Local Planning Authority prior to development commencing.

Any piling must be undertaken in accordance with the approved Piling Method Statement and FRWA.

REASON: Excavation works such as piling have the potential to cause water quality failures due to elevated concentrations of contaminants through displacement to a greater depths and turbidity generation. Increased concentrations of contaminants, particularly turbidity, impacts the ability to treat water for public water supply. In accordance with Policy SADM18 of the Welwyn Hatfield Borough Council Local Plan and the National Planning Policy Framework.

6. Development must not commence until details of a Surface Water Drainage Scheme demonstrating that contamination of any public water supply abstractions present will be prevented has been submitted to and approved in writing by the Local Planning Authority.

The development must be carried out in accordance with the approved details.

REASON: Surface water drainage can mobilise contaminants into the aquifer through infiltration in areas impacted by ground contamination. Surface water also has the potential to become contaminated and can enter the aquifer through open

pathways, either created for drainage or moved towards existing open pathways where existing drainage has reached capacity. All have the potential to impact public water supply. In accordance with Policy SADM18 of the Welwyn Hatfield Borough Council Local Plan and the National Planning Policy Framework.

7. No development above ground level shall take place until details of the planting methods and aftercare of the soft landscaping as shown on drawing number 60681916-ACM-XX-XX-DR-L-006002 Revision P03, have been submitted to and approved in writing by the Local Planning Authority.

The approved soft landscaping must then be carried out in the first planting and seeding seasons following occupation of the development, and any plant 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.

REASON: To ensure submission and approval of necessary landscaping details and to ensure proper implementation of the landscape proposals, in accordance with Policies SP9 and SADM16 of the Welwyn Hatfield Borough Council Local Plan and the National Planning Policy Framework.

8. No development above ground level shall take place until details of the relocated cycle shelter and additional cycle provision have been submitted to and approved in writing by the Local Planning Authority. The details must include:

- a) The number of spaces provided by the existing cycle shelter;
- b) The siting and design of the relocated cycle shelter, and number of spaces; and
- c) The siting and design of an additional cycle shelter, and number of spaces.

The relocated and additional cycle provision must be secure and covered.

The approved details must be implemented prior to first use of the development. Thereafter, these cycle parking areas must be permanently retained for no other purpose.

REASON: To ensure no loss of cycle provision to serve the wider site. To ensure that there is appropriate cycle provision to accommodate the proposed extension. And, to encourage cycling as a sustainable mode of transport, in accordance with Policy SADM12 of the Welwyn Hatfield Borough Council Local Plan, and the National Planning Policy Framework.

9. Prior to first use of the development, details of the maintenance and management of the sustainable drainage scheme must be submitted to and approved in writing by the Local Planning Authority.

The drainage scheme must be implemented prior to the first use of the development and thereafter managed and maintained in accordance with the approved details in perpetuity.

The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval must include:

- a) A timetable for its implementation.

- b) Details of SuDS feature and connecting drainage structures and maintenance requirement for each aspect including a drawing showing where they are located.
- c) A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime. This will include the name and contact details of any appointed management company. (Any reference to the Flood Risk Assessment or Drainage Strategy documents should mention the most up to date revision of the report).

REASON: To ensure the development achieves a high standard of sustainability, prevents flood risk, and that users remain safe for the lifetime of the development, in accordance with Policies SP10 and SADM14 of the Welwyn Hatfield Borough Council Local Plan, and the National Planning Policy Framework.

10. Upon completion of the surface water drainage system, including any SuDS features, and prior to the first use of the development, a survey and verification report from an independent surveyor must be submitted to and approved in writing by the Local Planning Authority.

The survey and report must demonstrate that the surface water drainage system has been constructed in accordance with the details approved pursuant to Condition 2. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required must be carried out in accordance with the approved timetable and subsequently re-surveyed with the findings submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure the flood risk is adequately addressed, not increased and users remain safe for the lifetime of the development in accordance with Policies SP10 and SADM14 of the Welwyn Hatfield Borough Council Local Plan and the National Planning Policy Framework.

11. Following completion of measures identified in the approved remediation scheme and prior to the first use of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to and approved in writing by the Local Planning Authority.

The approved monitoring and maintenance programme must be implemented.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property, and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy SADM18 of the Welwyn Hatfield Borough Council Local Plan and the National Planning Policy Framework.

12. Prior to first use of the development, details of a scheme relating to noise from new plant and equipment must be submitted to and approved in writing by the Local Planning Authority. The details must include a manned measured noise survey and report of the findings. The noise survey must include reference to measured background noise level at the closest residential receptor.

(The noise emitted must be measured from the facade of the nearest residential premises to demonstrate that the noise emitted by the combined operation of all external building services plant associated with the development does not exceed the background noise level at any time when the plant is operating).

The development must be carried out in accordance with the approved details.

REASON: To protect the living conditions of neighbouring residents from noise disturbance, in accordance with Policies SADM11 and SADM18 of the Welwyn Hatfield Borough Council Local Plan and the National Planning Policy Framework.

13. Prior to first use of the development, suitably scaled plans showing provision of service areas and refuse storage and collection areas to serve the development must be submitted to and approved in writing by the Local Planning Authority.

Should existing provision be proposed, it must be demonstrated that this is appropriate to serve both the existing and approved development.

The approved details must be implemented prior to first use of the development and be permanently retained thereafter for no other purpose.

REASON: To ensure appropriate provision of service areas and refuse storage and collection areas, in the interest of visual amenity, neighbour amenity and highway safety, in accordance with Policies SP9, SADM11, SADM12 and SADM18 of the Welwyn Hatfield Borough Council Local Plan; and the National Planning Policy Framework.

14. The development must be carried out in accordance with the tree protection measures stated in the submitted Arboricultural Impact Assessment (by AECOM, July 2022) and the approved Tree Protection Plan (drawing number: 60681916-ACM-XX-XX-AB-TPP-001 Rev P01).

REASON: To ensure that the health and longevity of retained trees are not harmed from the development and in the interest of high-quality design, in accordance with Policies SP9 and SADM16 of the of the Welwyn Hatfield Borough Council Local Plan and the National Planning Policy Framework.

15. The development must be constructed in accordance with the submitted and approved Flood Risk Assessment (Ref. ESL-ACM-CXX-XX-RP-C-0001, rev. P03 dated 25 August 2023).

REASON: To ensure flood risk is adequately addressed and not increased elsewhere, in accordance with Policies SP10 and SADM14 of the Welwyn Hatfield Borough Council Local Plan, and the National Planning Policy Framework.

16. The development must be carried out in accordance with the measures in Section 5 (Energy) and Section 8 (Materials and Waste) of the submitted Sustainability Statement (by AECOM, July 2022).

REASON: To ensure that the proposed sustainable design and construction principles are implemented, in accordance with Policies SP10 and SADM13 of the Welwyn Hatfield Borough Council Local Plan, and the National Planning Policy Framework.

DRAWING NUMBERS

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

Plan Number	Revision Number	Details	Received Date
ESL-ACM-XX-ZZ-DR-A-01100	P4	Existing Ground Floor Plan	8 August 2022
ESL-ACM-XX-ZZ-DR-A-01101	P5	Existing First Floor Plan	8 August 2022
ESL-ACM-XX-ZZ-DR-A-01102	P4	Existing Roof Plan	8 August 2022
ESL-ACM-XX-ZZ-DR-A-01300	P5	Proposed Ground Floor Plan	8 August 2022
ESL-ACM-XX-ZZ-DR-A-01301	P4	Proposed First Floor Plan	8 August 2022
ESL-ACM-XX-ZZ-DR-A-01302	P4	Proposed Roof Plan	8 August 2022
ESL-ACM-XX-ZZ-DR-A-03100	P5	Existing Elevations 01	8 August 2022
ESL-ACM-XX-ZZ-DR-A-03300	P5	Proposed Elevation 01	8 August 2022
ESL-ACM-XX-ZZ-DR-A-04300	P5	Proposed Typical GA Sections 01	8 August 2022
60681916-ACM-XX-XX-DR-L-006001	P02	Existing Conditions	8 August 2022
ESL-ACM-XX-ZZ-DR-A-00010	P4	Existing Location Plan	8 August 2022
ESL-ACM-XX-ZZ-DR-A-00011	P4	Existing Site Plan	8 August 2022

41845CVLS-01		Topographical Survey Sheet 1 of 3	9 August 2022
41845CVLS-02		Topographical Survey Sheet 2 of 3	9 August 2022
41845CVLS-03		Topographical Survey Sheet 3 of 3	9 August 2022
60681916-ACM-XX-XX-DR-L-006003	P02	Landscape Details	8 August 2022
60681916-ACM-XX-XX-DR-L-006004	P02	Landscape Sections	8 August 2022
60681916-ACM-XX-XX-AB-TPP-001	P01	Tree Protection Plan (Sheet 01)	8 August 2022
60681916-ACM-XX-XX-AB-TCP-001	P01	Tree Constraints Plan (Sheet 01)	8 August 2022
ESL-ACM-XX-ZZ-DR-A-00310	P5	Proposed Location Plan	24 August 2022
ESL-ACM-XX-ZZ-DR-A-00311	P6	Proposed Site Plan	24 August 2022
60681916-ACM-XX-XX-DR-L-006002	P03	Landscape Proposal	13 February 2024

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

1. POSITIVE AND PROACTIVE STATEMENT

The decision has been made taking into account, where practicable and appropriate the requirements of paragraph 38 of the National Planning Policy Framework and material planning considerations do not justify a decision contrary to the development plan (see Officer's report which can be viewed on the Council's website or inspected at these offices).

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 Welwyn Hatfield Borough Council. Please contact them on 01438 879990 or at 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

3. The best practicable means, as defined in section 72 of the Control of Pollution Act 1974, to reduce noise to a minimum shall be employed at all times

All plant and machinery in use shall be properly silenced and maintained in accordance with the manufacturers' instructions

All compressors shall be sound reduced models, fitted with properly lined and sealed acoustic covers, which shall be kept closed whenever the machines are in use. All ancillary pneumatic percussive tools shall be fitted with mufflers or silencers of the type recommended by the manufactures.

All machines in intermittent use shall be shut down during intervening periods between work, or throttled down to a minimum. Noise emitting equipment, which is required to operate continuously, shall be housed in suitable acoustic enclosures.

Items of plant and equipment shall be maintained in good condition so that extraneous noise from mechanical vibration, squeaking or creaking is reduced to a minimum.

All pile driving shall be carried out by a recognised noise reducing system.

Where practical, rotary drills and bursters, actuated by hydraulic or electric power

shall be used for excavating hard material

In general, equipment for breaking concrete and the like, shall be hydraulically actuated.

'BS 5228 Noise Control on Construction Sites' should be referred to for guidance in respect of all work carried out by the developer, their main contractor and any sub contractors.

Any emergency deviation from these conditions shall be notified to the Council without delay.

Any planned deviations from these conditions for special technical reasons, shall be negotiated with Council at least 14 days prior to the commencement of the specific work.

Permissible noise levels are not specified at this stage.

4. All efforts shall be made to reduce dust generation to a minimum.

Stock piles of materials for use on the site or disposal, that are likely to generate dust, shall be sited so as to minimise any nuisance to residents or neighbouring businesses. Materials for disposal shall be moved off site as quickly as possible.

Water sprays shall be used, as and when necessary, to reduce dust from particularly "dusty" activities or stock piles.

5. Storage of materials: 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 County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
6. Obstruction of highway: 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 County Council website at: <https://www.hertfordshire.gov.uk/services/highwaysroads-and-pavements/business-and-developer-information/business-licences/businesslicences.aspx> or by telephoning 0300 1234047.
7. Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. 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 and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway.

Further information is available by telephoning 0300 1234047.

Determined By:

Mr Ganesh Gnanamoorthy
15 February 2024