

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

DELEGATED APPLICATION

Application No: 6/2023/1124/FULL
Location: 2 Hill Rise Cuffley Potters Bar EN6 4EE
Proposal: Erection of a new dwelling following demolition of existing dwelling
Officer: Ms Elizabeth Mugova

Recommendation: Granted

6/2023/1124/FULL

Context			
Site and Application description	<p>The application site comprises a two-storey detached dwelling located to the east side of Hill Rise. The surrounding area comprises both large detached two storey dwellings and chalet-style dwellings of varying style, all set within generously sized plots. This part of the site slopes downward from south-east to north-west and the disposition of building heights respects this natural gradient of the land.</p> <p>Planning permission is sought for the demolition of the existing house and erection of a new detached replacement dwelling.</p>		
Constraints	<p>NPA - Northaw and Cuffley Neighbourhood Plan Area - Distance: 0 SAG - 0 - Distance: 0 PAR - PARISH (NORTHAW AND CUFFLEY) - Distance: 0 Wards - Northaw & Cuffley - Distance: 0 A4D - Article 4 Direction - Glasshouses, market gardens and nursery grounds - Distance: 0 HEN - No known habitats present (high priority for habitat creation) - Distance: 0 HEN - No known habitats present (medium priority for habitat creation) - Distance: 0 SAGB - Sand and Gravel Belt - Distance: 0</p>		
Relevant planning history	<p>Application Number: S6/1976/0319/ Decision: Granted Decision Date: 09 July 1976 Proposal: Ground floor side extension</p> <p>Application Number: S6/2002/0708/FP Decision: Granted Decision Date: 26 June 2002 Proposal: Erection of a first-floor side extension</p>		
Consultations			
Neighbour representations	Support: 0	Object: 2	Other: 0
Publicity	Neighbour letters		

<p>Summary of neighbour responses</p>	<p>1 Hill Rise Cuffley – Objection</p> <ul style="list-style-type: none"> • Size and height of the proposal is out of character with the area • Whilst materials have been specified, there was no mention of the colour of the window frames • Inadequate car parking for the size of the dwelling • The property is directly opposite The Driveway that already has access issues at times therefore this proposed plan could also have an impact causing additional issues as the road narrows at this point. • Concerned about the new foundations being dug and how deep they will be. When No 8 Hill Rise’s foundation was being dug the force of the digging shook my house and caused a crack in an external wall to my property. <p>19 Kingsmead – Objection</p> <ul style="list-style-type: none"> • Height and mass of the proposed house is excessive and out of keeping with the street scene and symmetry. The height would result in much overlooking of private gardens and shadowing of light.
<p>Consultees and responses</p>	<p>Northaw & Cuffley Parish Council – Objection</p> <ul style="list-style-type: none"> • Overdevelopment <p>WHBC Landscapes – No objection subject to conditions</p> <p>WHBC Public Health and Protection – No objection subject to a condition and informatives</p> <p>HCC - Highway Authority – No objection subject to conditions and informatives</p>
<p>Relevant Policies</p>	
<p>National Planning Policy Framework</p> <p>The Welwyn Hatfield Borough Council Local Plan 2016-2036:</p> <ul style="list-style-type: none"> • SP1 Delivering Sustainable Development • SADM2 Highway Network and Safety • SP9 Place Making and High Quality Design • SADM11 Amenity and Layout • SADM12 Parking, Servicing and Refuse • SP10 Sustainable Design and Construction • SADM16 Ecology and Landscape <p>Planning Guidance: Supplementary Design Guidance 2005 Councils Parking Standards (SPG) adopted January 2004. Supplementary Design Guidance 2005 (SDG)</p> <p><u>Northaw and Cuffley Neighbourhood Plan 2022-2036:</u></p> <ul style="list-style-type: none"> • D2 Local Character <p>Others:</p> <ul style="list-style-type: none"> • Hertfordshire Waste Development Framework 2012 • Hertfordshire’s Local Transport Plan (2018 – 2031) 2018 	
<p>Main Issues</p>	

Design (form, size, scale, siting) and Character (appearance within the streetscene)

Paragraph 131 of the National Planning Policy Framework (NPPF) clearly advises that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve, and that good design is a key aspect of sustainable development.

Local Plan Policy SP1 states the need to deliver sustainable development whilst ensuring development is built to high design standards reflecting local character. Policy SP9 emphasises this need to deliver a high-quality design that fosters a positive sense of place, also responding to the character and context of the surrounding area. The Council's Supplementary Design Guidance (SDG) includes guidance that residential development should complement and reflect the design and character of the surrounding area. These policies are consistent with Policy D2 of the Northaw and Cuffley Neighbourhood Plan.

The SDG outlines that dormer windows should be contained within the roof slope, be subservient to the roof of the property and be in proportion to the existing fenestrations of the property. They must not extend above the ridge height of the existing dwelling and the dormer cheeks should be at least 1 metre from the flank wall of the property.

This proposal involves the demolition of an existing dwelling and erection of two storey detached property.

The objections received from Northaw & Cuffley Parish Council and neighbours are noted.

Hill Rise is characterised by both large detached two storey and chalet-style dwellings in a variety of architectural styles and materials. Dwelling heights along Hill Rise are stepped to respond to the topography of the land and this is a key characteristic of the area. The resulting variation in scale and appearance of neighbouring properties allows for some flexibility in the design of the proposed development.

The proposed new dwelling would occupy a similar position to the existing house thereby maintaining the existing building line along this side of Hill Rise. The proposal would be considerably larger in footprint, scale and mass than the existing dwelling. However, there has been much redevelopment along Hill Rise, where smaller dwellings have been extended or replaced by larger dwellings such that the proposed dwelling would not be at odds with the size of other dwellings witnessed along Hill Rise for instance at No 58 Plough Hill (adjoining property), No 8 and 25 Hill Rise.

It is considered that the relationship between the proposed dwelling and No. 4 Hill Rise would be acceptable within the streetscene because of the separation between these dwellings and due to the presence of similar examples in the immediate streetscene. For example, Nos 10, 19, 23, 28 and 44 Hill Rise are significantly higher than some of their adjoining neighbours. It is therefore considered that the new dwelling would not appear unduly prominent or detract from the character and appearance of the streetscene.

The proposal comprises two front dormers and three rear dormers. Dormer windows are prevalent within the streetscene, with many properties featuring multiple dormer windows. The proposed dormers would not extend above the

	<p>ridge height of the existing dwelling and would be contained within the roofslope. As such, it is considered that the proposal would not detrimentally detract from the character and appearance of the surrounding area.</p> <p>Furthermore, the proposed dwelling would be set within a large plot with a substantial rear garden. It is therefore not considered that the proposal would lead to over development.</p> <p>The east elevation of the proposed dwelling would feature solar panels. These would not detrimentally detract from the character and appearance of the proposal and the surrounding area.</p> <p>Crown roofs are a feature of many dwellings in the wider area and therefore represent an acceptable form of development in this location. Notwithstanding this, in terms of visual amenity and quality of design, some crown roofs are not attractively designed and can significantly detract from the appearance of a dwelling and the overall character of the area. Should planning permission be granted, it would be reasonable to attach a planning condition requiring a cross-section drawing to be submitted to and approved in writing by the Local Planning Authority. Provided that the flat roof is stepped down and concealed behind the surrounding hipped roof, its impact in terms of visual amenity would be limited.</p> <p>The external appearance of dwellings in the immediate locality is varied. The dwelling would be finished in light blonde brickwork, cast stone surrounds to windows and natural slate roof. However, details of the window frames have not been specified. Whilst in principle these would be acceptable it is considered that it would be reasonable and necessary to request that samples of materials to be used, including the windows, must be submitted and approved by condition to ensure that the development does not detract from the character and appearance of the dwelling or wider area.</p> <p>Turning to landscaping Paragraph 135 of the NPPF requires new developments to ensure appropriate and effective landscaping. Local Plan Policies SADM16 and SP10 expect development to have a good standard of visual amenity with landscaping to maintain, protect, conserve and enhance biodiversity.</p> <p>The proposal would not require the removal of any significant trees from the site. Drawing No 20536-P001-H shows planting in front of the property, hedge to infill the space with the existing gate (to be removed) and paving. However, only limited details have been provided, it is therefore considered reasonable and appropriate to attach a planning condition requiring details of landscaping scheme to be submitted to and approved in writing by the Local Planning Authority. The scheme of landscaping should show the type and extent of trees, hedges to be retained and removed, specifications of species and sizes and hard landscape features. This would be required to maintain and enhance the visual character of the area in accordance with local and national policies.</p> <p>Subject to the suggested conditions, it is considered that the proposal would be in accordance with the National Planning Policy Framework; Welwyn Hatfield Borough Local Plan; Northaw and Cuffley Neighbourhood Plan and Supplementary Design Guidance 2005.</p>
Impact on	The NPPF is clear that planning should be a means of finding ways to

neighbours and future occupiers

enhance and improve the places in which people live their lives. This means that Local Planning Authorities should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Local Plan Policy SADM11, in conjunction with the SDG, outlines that development will be required to provide a good standard of amenity for buildings and external open spaces. Proposals should be designed and built to ensure that there is a satisfactory level of sunlight and daylight and that overlooking is minimised.

Policy SADM11 also requires proposals for C3 dwellings to meet the Nationally Described Space Standards (NDSS), unless it can be robustly demonstrated that this would not be feasible or viable. The NDSS outlines the minimum requirements for floorspace and storage for new dwellings. The Gross Internal Area (GIA) of the dwelling meets the standards set out in the DCLG Technical Housing Standards Nationally Described Space Standards 2015.

The most likely neighbours to be impacted are those at No. 58 Plough Hill and No 4 Hill Rise.

Living conditions of neighbouring occupiers

The first-floor side elevation window facing No 58 Plough Hill would serve a bathroom. This window is likely to be obscure glazed however, in order to maintain privacy of these neighbouring properties, a condition is attached to ensure that this flank window would be obscure glazed and fixed shut below 1.7 metres.

Given the siting, separation distance and ridge height of the proposed dwelling, it is considered that the proposal would not result in adverse loss of light or appear overbearing upon the adjoining properties.

Views from the rear dormers have potential for overlooking to parts of the rear gardens of adjoining properties. However, the degree of overlooking would be consistent with a neighbouring relationship generally expected between residential properties.

The surrounding land levels fall away towards the rear of the application site. The original proposal included a large rear terrace. However, during the course of the application, amendments to the application were submitted to include the reduction in size of the patio area and retention of existing ground levels for the sunken terrace and the patio. Given that the existing ground levels would be retained and the presence of hedges and fence which would provide screening it is considered that the rear terraces would not impact on the living conditions of neighbouring occupiers in terms of overlooking or loss of privacy.

Future occupiers

The layout is considered to provide adequate living conditions for future occupiers with regard to natural light and internal space. The Gross Internal Area and the bedroom sizes of the proposed dwelling meet the minimum standards requirements set out in the NDSS. In addition, the proposed dwellings would provide sufficient private outdoor amenity space.

Subject to the suggested planning conditions, it is considered that the proposed development would not harm the living conditions of future and

	neighbouring occupiers. The development would therefore accord with local and national policies.
Access, car parking and highway considerations	<p>Policy SADM12 of the Local Plan in regard to parking is informed by the standards that are set out within the Council's parking standards. The Parking Standards SPG use maximum standards that are not consistent with the Framework and are therefore afforded less weight. In light of this, the Council have produced an Interim Policy for Car Parking Standards that states that parking provision will be assessed on a case-by-case basis and the existing maximum parking standards within the SPG should be taken as guidance only. This means that higher or lower car parking standards than those set out in the SPG can be proposed and determined on a case-by-case basis taking into account the relevant circumstances of the proposal, its size, context, and its wider surroundings.</p> <p>Policy SADM2 also states that development proposals will be permitted provided there would be no negative impacts on highway safety, they are designed to allow safe and suitable means of access and site operation and they provide satisfactory and suitable levels of parking.</p> <p>During the course of the application, amended plans were received to address concerns raised by the Highway Authority (HA). Following review of the amended plans, HA considered the proposed development acceptable subject to conditions. The amended drawings (20536-P001-H & 20536-P002-E) show that the existing northern vehicle access with a gate would be removed and replaced with hedge. The existing southern entrance would be retained and incorporate pedestrian visibility splays as shown on Drawing No 20536-P002-E. The proposal would therefore provide one access point onto the site. The visibility splays can be secured through a planning condition.</p> <p><u>Car parking</u></p> <p>In terms of parking provision, the SPG guidance suggests that a five bedroom dwelling in this location should provide 3 off-street parking spaces. Drawing No 20536-P001-H shows that the proposed dwelling would benefit from three off-street parking spaces, this is considered acceptable.</p> <p><u>Cycle storage</u></p> <p>The details of secure cycle storage shown on Drawing No 20536-P002-E are acceptable and can be secured through a planning condition.</p> <p><u>Electric Vehicle Charging</u></p> <p>The proposal includes two electric vehicle pedestals and a charging point as shown on drawing No 20536-P001-H, the details are acceptable and can be secured through a planning condition. Subject to the suggested conditions, it is considered that the proposal would be in accordance with local and national policies.</p> <p><u>Highway safety</u></p> <p>During the course of the application, amended plans were received to address concerns raised by the Highway Authority (HA). Following review of the amended plans, HA considered the proposed development acceptable subject</p>

	<p>to conditions. The amended drawings (20536-P001-H & 20536-P002-E) show that the existing northern vehicle access with a gate would be removed and replaced with hedge. The existing southern entrance would be retained and incorporate pedestrian visibility splays as shown on Drawing No 20536-P002-E. The proposal would therefore provide one access point onto the site and the visibility splays can be secured through a planning condition.</p> <p>Further to the above and subject to the suggested conditions, it is considered that the proposal would be in accordance with local and national policies.</p>
<p>Any other considerations</p>	<p><i>Sustainable design and construction</i></p> <p>The NPPF is clear that sustainable development is integral in determining planning applications. Policy SP10 of the Local Plan requires proposals to adopt sustainable design and construction principles through the design of buildings, materials and waste, water sensitive design, energy and climate change and landscape and biodiversity.</p> <p>In terms of energy and climate change, this includes the layout and design of the site and building to reflect the energy hierarchy to maximise opportunities to reduce carbon emissions; the use of renewable and low carbon energy infrastructure is used; and proposals are responsive to how the climate will change over their lifetime and minimise their contribution to the urban heat island effect.</p> <p>Further to this, Policy SADM13 of the Local Plan requires all newly constructed dwellings will be required to achieve an estimated water consumption of no more than 110 litres/person/day, with water reuse and recycling and rainwater harvesting incorporated wherever feasible to reduce demand on mains water supply. It is also recommended that new dwellings deliver some of their energy requirements from decentralised and renewable or low-carbon sources.</p> <p>To maximise energy conservation, the proposal includes an air source heat pump as indicated on drawing No. 205336-P001-H. However, specific details of the energy efficient measures have not been provided, it is therefore considered necessary and reasonable to attach a planning condition requiring details of a renewable energy scheme to be submitted to and approved in writing by the Local Planning Authority.</p> <p>The proposal does not include measures for long term water efficiency. It is considered appropriate to attach a condition requiring water efficient measures to be submitted to and approved in writing by the Local Planning Authority.</p> <p><i>Environmental Health</i></p> <p>The Council's Environmental Health team has been consulted and recommended a condition regarding noise from demolition/construction works and informatives.</p> <p>The recommended condition 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.</p>

	<p><u><i>Response to comments from neighbours</i></u></p> <p>The concern raised regarding foundations does not relate to material planning considerations and therefore has not been discussed in this report.</p>
<p>Conclusion</p>	
<p>Subject to the suggested conditions above, the proposal is considered to be acceptable in accordance with the relevant policies of the Welwyn Hatfield Borough Council Local Plan; the Supplementary Design Guidance; Northaw and Cuffley Neighbourhood Plan; and the National Planning Policy Framework.</p>	

Conditions:

1. No development above ground level (excluding demolition) shall take place until details of the proposed crown roof have been submitted to and approved in writing by the Local Planning Authority. The details, including; a roof plan, elevations and sections, at an appropriate scale, must clearly show that the flat roof is stepped down and concealed behind the surrounding hipped roof. The hipped roof must use ridge tiles. Subsequently the development must not be carried out other than in accordance with the approved details.

REASON: The proposal contains insufficient information in regards to the detailed design of the roof and this is required in the interests of quality of design and visual amenity in in accordance with the Welwyn Hatfield Borough Council Local Plan and the National Planning Policy Framework.

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

REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with the Welwyn Hatfield Borough Council Local Plan and the National Planning Policy Framework.

3. No development above ground level (excluding demolition) shall take place until full details on a suitably scaled plan of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

The landscaping details to be submitted shall include:

- (a) means of enclosure and boundary treatments
- (b) hard surfacing, other hard landscape features and materials
- (c) existing trees, hedges or other soft features to be retained and a method statement showing tree protection measures to be implemented for the duration of the construction

REASON: The landscaping of this site is required in the interest of maintaining the character and amenity of the area, to provide ecological, environmental and biodiversity benefits, and to mitigate the impacts of climate change in accordance with the Welwyn Hatfield Borough Council Local Plan and the National Planning Policy Framework.

4. No development above ground level (excluding demolition) shall commence until full details of an Air Source Heat Pump (or a suitable alternative measure to maximise energy conservation and/or opportunities for renewable energy and low carbon energy supply) have been submitted and approved in writing by the Local Planning Authority. Subsequently the Air Source Heat Pump (or a suitable alternative to be agreed in writing) must be fully installed in accordance with the approved details, made fully operational prior to the occupation of the building and maintained as such for their operational lifetime. The details to be submitted shall include, on a suitably scaled plan and written statement regarding the Air Source Heat Pump (or full details of a suitable alternatives).

REASON: To maximise energy conservation and/or opportunities for renewable energy and low carbon energy supply in the interest of tackling climate change and creating sustainable development whilst also ensuring a satisfactory standard of development in the interests of visual amenity and maintaining the character of the area in accordance with the Welwyn Hatfield Borough Council Local Plan and the National Planning Policy Framework.

5. The development hereby approved must not be occupied until the vehicle access with pedestrian visibility splays as shown on the approved plan (Proposed Site Plan No 20536-P002-E) has been constructed and laid out in accordance with the agreed details and shall thereafter be retained and maintained at all times.

REASON: To ensure the provision of a vehicle and pedestrian access which is safe, suitable, and sustainable for all highway users in accordance with Hertfordshire's Local Transport Plan (adopted 2018); the Welwyn Hatfield Borough Council Local Plan and the National Planning Policy Framework.

6. The development hereby approved must not be occupied until the existing northern dropped kerb and access onto the site has been returned back to footway, with no means of access onto the site and shall thereafter be retained and maintained in this manner in perpetuity.

REASON: To ensure the highway safety of all road users in accordance with Hertfordshire's Local Transport Plan (adopted 2018); the Welwyn Hatfield Borough Council Local Plan and the National Planning Policy Framework.

7. The development hereby approved must not be occupied until cycle parking store has been constructed and laid out in accordance with the approved plans and agreed details and shall thereafter be retained and maintained.

REASON: In order to ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance the Welwyn Hatfield Borough Council Local Plan and the National Planning Policy Framework.

8. The development hereby approved must not be occupied until the Electric Vehicle Charging Points and associated infrastructure details forming part of the planning application submission and indicated on the approved plans have been

implemented and brought into operation. Thereafter the Electric Vehicle Charging Points shall be permanently retained available for use at all times.

REASON: To ensure the provision of adequate electric vehicle charging points in order to meet the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport in accordance with Hertfordshire's Local Transport Plan (adopted 2018); the Welwyn Hatfield Borough Council Local Plan and the National Planning Policy Framework.

9. Prior to first occupation of the development, details of measures for long term water efficient use of the building, must be submitted to and approved in writing by the Local Planning Authority. These water efficiency measures must include details such as a water butt and water efficient internal fixtures (taps, baths, showers, etc) which must demonstrate the new dwelling would comply with the optional Building Regulations requirement of 110 litres per person per day. The development shall be maintained in accordance with these details thereafter.

REASON: To ensure that the development contributes towards sustainable development and water efficiency in the interest of mitigating the impacts of climate change in accordance with the Welwyn Hatfield Borough Council Local Plan and the National Planning Policy Framework.

10. The first-floor side elevation window [facing No 58 Plough Hill] of the building hereby approved must be obscure-glazed to a level equivalent to Pilkington Level 3 or above and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and shall be retained in that form thereafter. Obscure glazing does not include applied film or one-way glass.

REASON: To protect the residential amenity and living conditions of adjoining occupiers in accordance with the Welwyn Hatfield Borough Council Local Plan and the National Planning Policy Framework.

11. The development must not be carried out other than in accordance with the approved landscaping details and all landscaping must be carried out in the first planting and seeding seasons following the occupation of any part of the development, or the completion of the development, or in agreed phases, whichever is the sooner. Any plants which within a period of five years from planting die, are removed, or become seriously damaged or diseased must be replaced in the next planting season with others of similar size and species. All landscape works must be carried out in accordance with the guidance contained in British Standards 8545: 2014.

REASON: To ensure implementation of the approved landscaping details in the interest of maintaining the character and amenity of the area, to provide ecological, environmental and biodiversity benefits, and to mitigate the impacts of climate change in accordance with the Welwyn Hatfield Borough Council Local Plan and the National Planning Policy Framework.

DRAWING NUMBERS

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

Plan	Revision	Details	Received Date
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Number	Number	
20536-S001-1st	Existing Plans and Elevations	26 May 2023
20536-P001-H	Proposed Plans and Elevations	8 February 2024
20536-P002-E	Proposed Site Plan	8 February 2024
20536-P003-C	Rear Sections	8 February 2024
20536-P004-B	Side Sections from 58	8 February 2024
20536-P005-A	Side Section from No 4	8 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. (a) 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
 - (b) All plant and machinery in use shall be properly silenced and maintained in accordance with the manufacturers' instructions.
 - (c) 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.
 - (d) 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.

(e) 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.

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

(g) Where practical, rotary drills and bursters, actuated by hydraulic or electric power shall be used for excavating hard material.

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

(i) '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.

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

(k) 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.

(l) Permissible noise levels are not specified at this stage.

3. (a) All efforts shall be made to reduce dust generation to a minimum

(b) 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.

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

4. (a) 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 website

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

(b) Obstruction of public highway land: 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 <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> telephoning 0300 1234047.

(c) Road Deposits: 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 <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

(d) Construction standards for works within the highway. The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

(e) Gravel / shingle driveways: Where loose gravel or shingle is used, a suitable measure to prevent material spilling onto the road/footpath/verge must be installed. It is an offence under section 148 of the Highways Act 1980 to deposit debris onto 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. Further information is available by telephoning 0300 1234047.

(f) Avoidance of surface water discharge onto the highway: The applicant is advised that the Highway Authority has powers under section 163 of the Highways Act 1980, to take appropriate steps where deemed necessary (serving notice to the occupier of premises adjoining a highway) to prevent water from the roof or other part of the premises falling upon persons using the highway, or to prevent so far as is reasonably practicable, surface water from the premises flowing on to, or over the footway of the highway.

5. 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

Determined By:

Mr William Myers
14 February 2024