



**TOWN AND COUNTRY PLANNING ACT 1990
PLANNING DECISION NOTICE – PERMISSION**

S6/2004/573/FP

CONVERSION, ALTERATION AND CHANGE OF USE OF NORTHAW HOUSE TO SINGLE RESIDENTIAL UNIT, STABLE BLOCK TO 1 RESIDENTIAL UNIT, BALLROOM WING TO 3 RESIDENCES, SEVEN NEW BUILD DWELLINGS; (3 OF WHICH LIVE / WORK) EXTENSION, ALTERATIONS AND REFURBISHMENT OF OAK COTTAGE, PLUS ASSOCIATED CAR PARKING, DRIVEWAY AND ACCESS AND LANDSCAPING, INCLUDING SOME DEMOLITION

at: NORTHAW HOUSE, JUDGES HILL, NORTHAW, POTTERS BAR,

Agent Name And Address

STRUTT & PARKER (ref CLN)
201 HIGH STREET
LEWES
EAST SUSSEX
BN7 2NR

Applicant Name And Address

NORTHAW PROPERTIES LTD
c/o Agent

In pursuance of their powers under the above mentioned Act and the Orders and Regulations for the time being in force thereunder, the Council hereby **PERMIT** the development proposed by you in your application received with sufficient particulars on 06/04/2004 and shown on the plan(s) accompanying such application, subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

REASON: In order to comply with Section 91 of the Town and Country Planning Act (As amended)

2. No development shall take place until samples of materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented using the approved materials. Subsequently, the approved materials shall not be changed without the prior written consent of the Local Planning Authority.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with Policies D1 and D2 of the Welwyn Hatfield District Plan 2005

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3. Prior to the commencement of the development hereby permitted, details and information shall be submitted, in accordance with the British Standard 5837: 2005 Trees in Relation to Construction, of the following:

- *A current tree survey, which should be undertaken by a qualified arboriculturist - which should include all the information requested in 4.2.6 of the standard;

- *A Tree Constraints Plan showing the Root Protection Area of trees being retained (calculated using table 2 of the standard);

- *An Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) which should address all the information required in 7.1 and 7.2 of the standard, particular note should be taken of:

- *7.1 c) the precise location for erection of protective barriers and any other relevant physical protection measure including ground protection, to protect the RPA and marked as a construction exclusion zone on the plan; and

- *7.1 d) design details of the proposed physical means of protection, indicated through drawings and/or descriptive text, including any development facilitation pruning

- *A comprehensive landscape plan detailing new planting would be also required indicating:

- *Species

- *Size

- *Density of planting

- *Historic significance

- *a landscape management plan for the planting over a 5 year period including replacement of any failures, excluding the Woodland Area

Reason: In the interests of the visual amenity of the area and to protect the existing trees, shrubs and hedgerows in accordance with policy D8 of the Welwyn Hatfield District Plan 2005.

4. All planting seeding or turfing and soil preparation comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner; and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the Local Planning Authority.

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

Continuation...

5. a) No retained tree or shrub shall be cut down, uprooted or destroyed, nor shall any retained tree or shrub be pruned other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 Tree Work.

(b) If any retained tree or shrub is removed, uprooted or destroyed or dies, another tree or shrub shall be planted at the same place and that tree or shrub shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

(c) The erection of fencing for the protection of any retained tree, shrub or hedge shall be undertaken in accordance with details approved in writing by the Local Planning Authority to comply with the recommendation of British Standard 5837 (2005) before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority. No fires shall be lit within 20 metres of the retained trees and shrubs.

In this condition retained tree or shrub means an existing tree or shrub, as the case may be, which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) above shall have effect until the expiration of five years from the date of the occupation of the building for its permitted use.

REASON: To protect the existing trees, shrubs and hedgerows in the interest of visual amenity in accordance with Policy D8 of the Welwyn Hatfield District Plan 2005.

6. Notwithstanding any details submitted with the application, prior to the commencement of the development hereby permitted a Schedule of Works and Repair for the principal listed buildings (main house, stable block, ballroom wing), Oak Cottage, wall surrounding the walled garden, as well as all historic brick shall be submitted to and approved in writing by the Local Planning Authority. The scheme as may be approved shall be completed in accordance with the s106 legal agreement.

Reason: To safeguard the historic and architectural integrity of the Grade II listed building in accordance with Planning Policy Guidance Note 15: Planning and the Historic Environment.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no development within Class A of Part 1 of Schedule 2 shall take place, unless permission is granted on an application made to the Local Planning Authority.

Continuation...

REASON: To enable the Local Planning Authority to fully consider the effects of development normally permitted by that order in the interests of residential and visual amenity in accordance with Policies D1 and D2 of the Welwyn Hatfield District Plan 2005 and Planning Policy Guidance Note 2: Green Belts.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no development within Class B of Part 1 of Schedule 2 shall take place, unless permission is granted on an application made to the Local Planning Authority.

REASON: To enable the Local Planning Authority to fully consider the effects of development normally permitted by that order in the interests of residential and visual amenity in accordance with Policies D1 and D2 of the Welwyn Hatfield District Plan 2005 and Planning Policy Guidance Note 2: Green Belts.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no development within Class D of Part 1 of Schedule 2 shall take place, unless permission is granted on an application made to the Local Planning Authority.

REASON: To enable the Local Planning Authority to fully consider the effects of development normally permitted by that order in the interests of residential and visual amenity in accordance with Policies D1 and D2 of the Welwyn Hatfield District Plan 2005 and Planning Policy Guidance Note 2: Green Belts.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no development within Class E of Part 1 of Schedule 2 shall take place, unless permission is granted on an application made to the Local Planning Authority.

REASON: To enable the Local Planning Authority to fully consider the effects of development normally permitted by that order in the interests of residential and visual amenity in accordance with Policies D1 and D2 of the Welwyn Hatfield District Plan 2005 and Planning Policy Guidance Note 2: Green Belts.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no development within Class F of Part 1 of Schedule 2 shall take place, unless permission is granted on an application made to the Local Planning Authority.

REASON: To enable the Local Planning Authority to fully consider the effects of development normally permitted by that order in the interests of residential and visual amenity in accordance with Policies D1 and D2 of the Welwyn Hatfield District Plan 2005 and Planning Policy Guidance Note 2: Green Belts.

Continuation...

12. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or any order revoking, re-enacting or modifying that Order), no development falling within Class C of Part 1 of Schedule 2 to that Order shall take place without the prior written permission of the Local Planning Authority granted on application.

REASON: To enable the Local Planning Authority to exercise control over the siting and size of any future buildings or structures on the site in the interests of safeguarding the openness of the Green Belt in accordance with policies D1 and D2 of the Welwyn Hatfield District Plan 2005 and Planning Policy Guidance Note 2: Green Belts.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) no fences, gates or walls shall be constructed within the site or on the site boundaries, (site- as defined on drawing number S02 Rev A) unless permission is granted on an application made to the Local Planning Authority.

REASON: To enable the Local Planning Authority to fully consider the effects of development normally permitted by that order in the interests of residential and visual amenity in accordance with Policies D1 and D2 of the Welwyn Hatfield District Plan 2005

14. Notwithstanding any details submitted with the application, details of all new means of enclosure to be erected within the site or along its boundaries, as defined in yellow on drawing number S02 Rev A shall be submitted to the Local Planning Authority for its prior approval in writing. The scheme as may be approved shall be completed prior to the occupation of any of the units hereby permitted and retained thereafter, unless otherwise agreed in writing with the Local Planning Authority.

REASON: In the interests of visual amenity in accordance with policies D1 and D2 of the Welwyn Hatfield District Plan 2005 and Planning Policy Guidance Note 2: Green Belts.

15. Details of any external lighting to be erected within the site shall be submitted to the Local Planning Authority for its prior written approval.

REASON: To avoid any potential for light pollution, in the interests of visual amenity in accordance with policies D1 and D2 of the Welwyn Hatfield District Plan 2005 and Planning Policy Guidance Note 2: Green Belts.

16. No demolition or development shall take place within the application site until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved scheme.

Continuation...

REASON: To ensure that remains of archaeological importance likely to be disturbed in the course of development are adequately recorded in accordance with policy R29 of the Welwyn Hatfield District Plan 2005.

17. Before any development commences, details of existing and proposed ground levels, finished floor levels of the dwellings and garages, driveways, pathways and parking areas hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and completed thereafter in accordance with the approved details.

REASON: In the interests of existing trees and the appearance of the development in the Green Belt in accordance with and Planning Policy Guidance Note 2: Green Belts and policies D8 and R17 of the Welwyn Hatfield District Plan 2005.

18. Prior to the commencement of work on any building hereby approved, the setting out and finished floor levels of each building shall be inspected and approved by the Local Planning Authority in writing.

REASON: To ensure the satisfactory appearance of the development, and to ensure a satisfactory relationship between features and buildings both on and off the site in accordance with policies D1 and D2 of the Welwyn Hatfield District Plan 2005.

19. Before any development commences, full details of the proposed demarcation and extent of the associated individual curtilages of the six ballroom wing dwellings, the three courtyard live/work buildings and the detached dwellings Oak Cottage and Walled Garden shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out and completed in accordance with the approved details.

REASON: To enable the Local Planning Authority to have control over the development of the land having regard to the Green Belt location of the site and in accordance with Planning Policy Guidance Note 2: Green Belts and policies D1 and D2 of the Welwyn Hatfield District Plan 2005.

20. Before any development commences, full details constructional and surfacing treatment of the proposed access drives, vehicle parking and turning areas, all pedestrian paths and any means of illumination thereto shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out and completed in accordance with the approved details.

REASON: To ensure a satisfactory standard of development in the vicinity of Grade II Listed Buildings and to protect important trees to be retained as part of the development in accordance with Planning Policy Guidance Note 15: Planning and the Historic Environment and policies R17 and D8 of the Welwyn Hatfield District Plan 2005.

Continuation...

21. Surface water drainage works shall be carried out in accordance with details which shall been submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Such approved details shall then be implemented.

REASON: To prevent the increased risk of flooding in accordance with Planning Policy Statement 25: Development and Flood Risk.

22. No works of site clearance, demolition or construction shall take place until a Method Statement with the results of an appropriate bat survey, mitigation methods proposed and detailed timetable of proposed works (as required for Natural England and DEFRA licence) have been submitted to and approved by the Local Planning Authority.

REASON: To comply with the requirements of the Wildlife and Countryside Act and Habitats Regulations and to protect species of conservation concern in accordance with Planning Policy Guidance Note 15: Planning and the Historic Environment.

23. All new or replacement rainwater goods shall be in black painted cast iron with the exception of rainwater goods for the walled garden dwelling.

REASON: To ensure the special historic and architectural character and setting of the building is properly maintained, in accordance with Planning Policy Guidance Note 15: Planning and the Historic Environment.

24. The brickwork of walls hereby permitted shall be constructed in a bonding to match that of the existing building, in accordance with details, which have been submitted to and approved in writing by the Local Planning Authority. Subsequently, the materials shall not be changed without the prior written consent of the Local Planning Authority.

REASON: To protect the historic fabric and aesthetic quality of the Listed Building in accordance with Planning Policy Guidance Note 15: Planning and the Historic Environment.

25. Prior to the commencement of the development hereby permitted all materials to be used for hard surfaced areas within the site including roads, driveways and car parking areas shall be approved in writing by the Local Planning Authority.

REASON: To ensure that the development does not detract from the appearance of the locality and to ensure the historic and architectural character and setting of the building is properly maintained, in accordance with policy D1 of the Welwyn Hatfield District Plan 2005 and Planning Policy Guidance Note 15: Planning and the Historic Environment.

26. No unbound material shall be used on the proposed access within 20 metres of the highway boundary. Details of the proposed surface dressing shall be submitted to and agreed in writing by the Local Planning Authority, prior to the commencement of the development and implemented in accordance with those details

Continuation...

REASON: To prevent the tracking out of materials onto the highway in the interests of highway safety in accordance with Planning Policy Guidance Note 13: Transport

27. (Any) gate(s) to be provided shall be set back a minimum of 6m from the edge of the highway and shall open inwards into the site.

REASON: In order that a vehicle may wait clear of the highway while the gates are opened or closed in the interests of highway safety in accordance with Planning Policy Guidance Note 13: Transport

28. All areas for parking and storage and delivery of materials associated with the construction of this development shall be provided within the site on land which is not public highway and the use of such areas must not interfere with the use of the public highway.

REASON: In the interest of highway safety and free and safe flow of traffic in accordance with Planning Policy Guidance Note 13: Transport.

29. No development (including demolition) shall commence until wheel-cleaning apparatus have been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority, and which shall be operated and maintained during construction of the development hereby approved.

REASON: In order to ensure that the wheels of the vehicles are cleaned before leaving the site in the interests of highway safety in accordance with Planning Policy Guidance Note 13: Transport

30. Prior to the commencement of development hereby permitted, detailed plans showing the elevation of the car ports and gates and proposed materials shall be submitted to the local planning authority for approval in writing. Thereafter the development shall be carried out in accordance with the approved plans and details and retained as such unless the local planning authority otherwise agrees in writing.

REASON: In the interests of the visual amenity of the area and impact upon the character and setting of the listed buildings in accordance with Planning Policy Guidance Note 15: Planning and the Historic Environment and policies D1, D2 and D8 of the Welwyn Hatfield District Plan 2005.

Continuation...

REASONS FOR APPROVAL

The proposal has been considered against National Plan Policy PPS1, PPG2, PPS3, PPS7, PPG13, PPG16, PPG15, PPS25 and development plan policies; & Welwyn Hatfield District Plan 2005 SD1, GBSP1, R16, R17, R27, R29, M2, M4, M14, D1, D2, D5, D8, D11, IM2, H2, H5, H6, H7, H8, H10, OS3, EMP8, EMP14, RA2, RA3, RA10, RA17, RA28), in addition to the Human Rights Act 1998, which indicate that the proposal should be approved. Material planning considerations justify a decision contrary to the Development Plan (see Officer's report which can be inspected at these offices).

INFORMATIVE

1. Your attention is drawn to the need to obtain a Habitats Regulations licence from DEFRA.
2. With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or surface water sewer. It must not be allowed to drain to the foul sewer, this is the major contributor to sewer flooding. Thames Water recognises the environmental and economic benefits of surface water source control, and encourages its appropriate application, where it is to the overall benefit of our customers.

Hence, in the disposal of surface water, Thames Water will recommend that the Applicant:

- a) Looks to ensure that new connections to the public sewerage system do not pose an unacceptable threat of surcharge, flooding or pollution;
- b) Check the proposals are in line with advice from the DEFRA, which encourages, wherever practicable, disposal 'on site' without recourse to the public sewerage system; for example in the form of soakaways or infiltration areas on free draining soils;
- c) Looks to ensure the separation of foul and surface water sewerage on all new developments

Where disposal of surface water is other than to a public sewer, then the Applicant should ensure that approval for the discharge has been obtained from the appropriate authorities.

In respect to surface water, it is recommended that the developer should ensure that storm flows are attenuated or regulated into the receiving network e.g. through On/Off site storage.

3. In relation to the Archaeological condition above, advice may be sought from Hertfordshire County Council Archaeology who will be able to supply a design brief detailing the requirements and to provide a list of archaeological contractors who may be able to carry out the work.

Continuation...

INFORMATIVE

4. The development will involve the numbering of properties and naming new streets. The applicant **MUST** contact WHBC Transportation (Cathy Wilkins 01707 357558 before any name or number is proposed. This is a requirement of the Public Health Act 1875 and Public Health (Amendment) Act 1907

APPROVED PLAN NUMBER(S): 1:500 Existing Site Block Plan & 032A & 038A & 040A & 043A & 035A & N11438-05.04.04-Site Area & 03A & 02A & 01A & 041A & 037A & 039A & 036A received and dated 6 April 2004

OC1A & OC2A & P01 & P02 & P03 & P04 & E05 & E02 & E01 & E04 & E03 & E05 & E06 & IN01 & P05 & IN02 P06 & IN03 & IN06 & IN05 & IN04 & 023C & 024C & 044A received and dated 23 May 2007

WG1A & WG2A & WG3A received and dated 15 October 2007

S02A received and dated 05 February 2009

Date : 01-10-2009

A handwritten signature in black ink, appearing to be 'Tracy Harvey', with a long horizontal stroke extending to the right.

Tracy Harvey
Head of Development Control