



# WELWYN HATFIELD COUNCIL

Council Offices, Welwyn Garden City, Herts, AL8 6AE  
Telephone: Welwyn Garden (01707)357000

TOWN AND COUNTRY PLANNING ACT 1990

## PLANNING DECISION NOTICE – PERMISSION

**N6/2004/1037/FP**

**DEMOLITION OF EXISTING BUILDING AND ERECTION OF 22 DWELLINGS WITH ASSOCIATED VEHICLE ACCESS, PARKING, STORAGE, LANDSCAPING AND PEDESTRIAN FOOTPATH LEADING TO STANBOROUGH PARK.**

**at: LAND OPPOSITE 96-102 LEMS福德 LANE, WELWYN GARDEN CITY,**

### Agent Name And Address

ARAN BARKER  
HEPHER DIXON,  
100 TEMPLE CHAMBERS,  
TEMPLE AVENUE,  
LONDON  
EC470HP

### Applicant Name And Address

GENESIS HOUSING GROUP  
OAKLANDS HOUSE,  
OLD OAK,  
COMMON LANE,  
NW106DU

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 06/07/2004 and shown on the plan(s) accompanying such application, subject to the following conditions:-

1. The development to which this permission relates shall be begun within a period of 5 years commencing on the date of this notice.

### REASON

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development shall only be carried out in accordance with a landscaping scheme which shall be submitted to and approved in writing by the Local Planning Authority before the development commences. The scheme shall show:-

- (1) which existing trees, shrubs and hedges are to be retained or removed.
- (2) what new planting is proposed, together with details of the species, size and method of planting.
- (3) what measures are to be taken to protect both new and existing landscaping during and after development.

The scheme approved shall be implemented and completed in all respects by not later than the planting season following completion of the development, and any trees or plants which within a period of 5 years from 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.

### REASON

To enhance the visual appearance of the development.

## Continuation ...

3. Before any other works on site are commenced in relation to the development permitted, a one metre high chestnut pale fence, or other suitable barrier shall be erected around the outer limit of the crown spread of all trees on site shown to be retained on the approved plan. This fencing shall be retained in this position until the whole of the development is completed. During this period no materials whatsoever shall be stored, fires started or service trenches dug within these enclosed areas without the written consent of the Local Planning Authority.

### REASON

To ensure that the existing trees shown to be retained, are safeguarded during building operations.

4. Before construction works commence on site, full details or samples of the materials to be used in the external construction of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority.

### REASON

To ensure that the external appearance of the development is not detrimental to the character of the locality.

5. Both existing and proposed levels of the ground shall be shown on detailed plans and sections, which include finished floor levels of all buildings on the site. The plans shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development, which shall only be carried out in accordance with the approved plans.

### REASON

To ensure the development is carried out at suitable levels, and to ensure a satisfactory relationship between features and buildings both on and off the site.

6. Prior to the commencement of work on any building hereby approved, the setting-out and finished floor level 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.

7. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or any Order revoking or re-enacting that Order) the provisions of Part 1, Class(es) A, B, C, E, F and Part 2, Class A of Schedule 2 to that Order shall not apply to any dwelling constructed as part of this consent.

### REASON

In order to conserve the character and appearance of the development and the surrounding area.

8. Notwithstanding the submitted plans hereby approved, details of bin and cycle stores shall be submitted to and approved in writing by the Local Planning Authority and shall be provided prior to first occupation of the units that they will serve and retained thereafter, unless otherwise agreed in writing by the Local Planning Authority.

## Continuation ...

### REASON

In order to ensure the acceptable appearance of the development and to ensure the retention of cycle storage and refuse facilities.

9. Prior to first occupation of the dwellings hereby approved, each house shall have a composting unit within its garden area and a rain water butt, details of which are to be agreed in writing by the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority.

### REASON

To assist in providing a sustainable development.

10. No development shall take place within the site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

### REASON

The site lies in close proximity to Area of Archaeological Significance No. 11 where there is a reasonable likelihood of the discovery of significant archaeological remains and to comply with BEV 18 of the Welwyn Hatfield District Plan Alterations No 1 1998.

11. No construction work shall take place outside of the hours 07.30 - 19.00 Monday to Friday, and 08.00 - 17.00 on Saturday with no work taking place on Sundays or Public and Bank Holidays.

### REASON

In order to prevent work at unsociable hours, and in order to protect the amenity of occupiers of residential property in close proximity to the application site and to comply with the requirements of Gen Criteria 3 of the Welwyn Hatfield District Plan.

12. No development shall take place within the development site until the applicant has provided a methodology and plan indicating the arrangements to be made during the construction process for on-site parking, loading and unloading of materials, storage of materials and provision of site accommodation which has been submitted by the applicant and approved in writing by the Local Planning Authority. The plan and methodology so approved shall be implemented in full during the totality of the construction process.

### REASON

In order to prevent work at unsociable hours, and in order to protect the amenity of occupiers of residential property in close proximity to the application site and to comply with the requirements of Gen Criteria 3 of the Welwyn Hatfield District Plan.

## Continuation ...

13. No development subsequent to the excavation of the foundation of each of the dwellings hereby approved shall be executed until setting out and finished floor levels of each dwelling has been inspected and agreed by the Local Planning Authority. Subsequent to that the development shall be continued as agreed in these respects, unless otherwise agreed in writing by the Local Planning Authority.

### 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.

14. Before the development is commenced, a Phase 1 Assessment in respect to contaminated land shall be carried out to establish a historical record of the site that should establish whether there have been any potential contaminative uses on the site itself or nearby land; identify the presence of any receptors, existing and proposed; and establish whether the potentially contaminative use could impact on receptors at the site or its neighbourhood. This assessment shall then be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

### REASON

To prevent pollution of the water environment.

15. On-site parking shall be provided for the use of all contractors, sub-contractors, visitors and delivery vehicles engaged on or having business on the site in accordance with details to be agreed in writing with the Local Planning Authority before the commencement of site works.

### REASON

The above condition is to ensure that no obstructions to the public highway occur during the construction period.

### REASONS FOR APPROVAL

It is considered that the proposed development does not have an unacceptably harmful impact on residential amenity or the character of the area in which it is located as the development proposed is in keeping with the character and appearance of the surrounding area in terms of scale and design, does not result in unacceptable overlooking or loss of privacy and does not have any unacceptably dominating impact with regard to neighbouring uses.

### SUMMARY OF RELEVANT DEVELOPMENT PLAN POLICIES

Hertfordshire Structure Plan Review 1991- 2011:

Policy 9, Policy 25

Hertfordshire Structure Plan Alterations 2001- 2016 (Deposit Draft Feb 2003):

Design and Quality of Development, Sustainable Development, Policy 25

**Continuation ...**

Welwyn Hatfield District Plan Alterations no 1 1998:

Bev 5, Gen 1, Gen 2, Gen 3, Gen 4, Gen 5, Gen 6, Res 2, Res 3, Res 4, Res 5, Res 6,  
Res 10, Res 11, Res 15

Welwyn Hatfield Review District Plan Deposit Draft, June 2002:

D1, D2, H1, H6, H8, Supplementary Design Guidance

APPROVED PLAN NUMBER(S): drg nos 596.1 & 04.227.S1 received 6/7/04 & 101 rev D  
& 102 rev B & 103 rev B & 104 rev C & 105 rev C all received 4/10/04

Date: **05/10/2004**



Chris Conway  
Chief Planning and Environmental Health Officer