

Mr S Hancock,
Hancock Architecture Ltd,
First Floor Offices,
Unit 47,
The Shipyard Estate
Brightlingsea,
CO7 0AR

Colin Haigh
Head of Planning

Reply To: address as below
Our Ref: 6/2016/1691/COND
Direct Tel: 01707 357211
Fax: 01707 357253
Email: planning@welhat.gov.uk

8 August 2017

**Town and Country Planning Act 1990.
The Town and Country Planning (Development Management Procedure) (England) Order
2015**

Dear Mr Hancock,

RE: 6/2016/1691/COND – Approval of details reserved by condition 2 (materials), 3 (landscape details), 4 (building works), Condition 7 (Noise report), Condition 8 (New Access) and Condition 10 (Parking details) on planning permission 6/2015/2333/FULL at Land behind and adjacent to 17 - 17A Station Road, Cuffley, Potters Bar, EN6 4HX.

Thank you for your recent application in connection with the discharge of the above planning condition.

Condition 1

This condition required development to be completed in accordance with the approved plans. This condition is not dischargeable.

Condition 2 (Samples of Materials)

This condition is as follows:

“No development 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.”

You have supplied the following details:

Brickwork walls: Chiltern 5 tones
Courses: Rustic Blue

Tiles: Lightweight cementeous tile Marley eternity turf brown or flame brown

Windows: White UPVC frames

Rainwater goods: Black ABS plastic square. Down pipes

Shopfront at Ground Floor: Powder Coated Aluminium – grey

Fold out Fire Escape ladder: light grey to match shop front. (This is to be stored inside the building until required.)

I confirm that sufficient information has been supplied to comply with the requirements of this condition.

I trust you will comply with the final sentence of this condition, which requires the development to be carried out in accordance with the approved details.

Condition 3 (Landscaping Implementation)

This condition is as follows:

“No development shall take place until further full details on a suitably scaled plan of hard landscape works have been submitted to and approved in writing by the Local Planning Authority. Subsequently, these works shall be in addition to those shown on the approved plans and shall be carried out as approved. The landscaping details to be submitted shall include:-

- a) means of enclosure and boundary treatments;
- b) existing and proposed finished levels and finished floor levels of the dwelling;
- c) details for all hard surfacing (including permeable hard surfacing details).”

Not sufficient details submitted. However, I understand that the phasing of finalising these details presents difficulties as discussions are underway with neighbouring owners and other users of the vehicle access. I refer to your application to Vary Condition 1 and advise that a landscaping condition requiring appropriate phasing may be imposed under 6/2016/1857/VAR.

In the meantime this condition remains extant.

Condition 4 (Construction Management Plan)

This condition is as follows:

“Before any demolition, clearance, building or other works commence on site, details shall be submitted to and approved in writing by the Local Planning Authority, specifying:

- a. Construction vehicle numbers, type, routing;
- b. Traffic management requirements;
- c. Construction and storage compounds (including areas designated for car parking);
- d. Cleaning of site entrances, site tracks and the adjacent public highway;
- e. Timing of construction activities to avoid school pick up/drop off times;
- f. Provision of sufficient on-site parking prior to commencement of construction activities.”

You supplied details in an email dated 5.9.2016. The Highways Authority was consulted. They have not objected to the submitted Construction Environmental Management Plan details. This scheme includes proposals for creation of permanent parking spaces, which are the subject of Condition 10 below. You are advised that the access to residents' parking and to the public car park should be maintained at all times and those parking spaces must be kept free of obstruction. The condition remains extant during construction. I trust you will comply with this condition.

Condition 5 (Hours of operation of retail unit)

This condition is as follows:

“The use of the approved A5 premises must operate only between the hours of 11:00 to 23.00 Sunday to Thursday, and from 11:00 to 24.00 on Fridays and Saturdays and no customer is permitted to be on the premises outside of these times.”

You have indicated that you wish to change the use of the ground floor retail unit from A5 to A1/ A2 or B1. Although the change of use to A1 or A2 may, in theory, be permitted development you would require a separate planning application because the A5 use has not been commenced and a change of use from A5 cannot occur. Given the proximity of residential units, it is likely that an hours-of-operation condition would be applied to any ground floor commercial use.

In the meantime, this condition remains extant, I trust you will comply with this condition.

Condition 6 (Hours of delivery to retail unit)

This condition is as follows:

“No deliveries to the approved A5 premises must take place outside the hours of 07.00 and 21.00 on Monday to Saturday and 10.00 to 14.00 on Sundays.”

You have indicated that you wish to change the use of the ground floor retail unit from A5 to A1/ A2 or B1. You are advised that this would require a separate planning application. It is likely that an hours of delivery condition would be applied to any ground floor commercial use.

In the meantime, this condition remains extant, I trust you will comply with this condition.

Condition 7 (Noise Assessment)

This condition is as follows:

“No development shall commence until a noise report has been submitted to and approved in writing by the Local Planning Authority. The report shall include details of a survey of the existing environmental noise in the area and an assessment of the noise generated by any proposed kitchen air handling system (including a BS4142 (2014) assessment of commercial noise). An appropriate mitigation scheme shall be submitted with this noise report for the approval of the Local Planning Authority. This must incorporate an appropriate scheme demonstrating that the kitchen air handling system, including noise and odour details, is in accordance with the DEFRA “guidance on the control of odour and noise from commercial kitchen exhaust systems” and BS4142 (2014). Subsequently, the kitchen air handling system shall be implemented in accordance with those shown on the approved plans and shall be retained thereafter.”

You have indicated that you wish to change the use of the ground floor retail unit from A5 to A1/ A2 or B1. You are advised that this would require a separate planning application. It is likely that an hours of operation condition would be applied to any ground floor commercial use. However, the condition may be altered to a pre-occupation one.

In the meantime this condition remains extant.

Condition 8 (New Access – pre-commencement)

This condition is as follows:

“No development shall commence until the new access serving the development is completed in accordance with the approved plan drawing number 0/A100/PR/001 Rev C and is constructed to the specification of the Highway Authority and Local Planning Authority’s satisfaction.”

These details were included in the Construction Environmental Management Plan. The Highway Authority has no objection to this CEMP. You are advised that the delivery of the highway works shall require a S278 Agreement with the Highway Authority who can be contacted at <http://www.hertsdirect.org/services/transtreets/highways> or by telephone on 0300 1234047.

Condition 9 (New Access – minimum width)

This condition is as follows:

“Notwithstanding the submitted details, the proposed private access shall be maintained in perpetuity at a minimum width of 4.1 metres for its length and shall be constructed perpendicular to the highway carriageway for a minimum length of 10 metres as measured from the near edge of the highway carriageway.”

This condition remains extant and should be complied with.

Condition 10 (Car parking – provision prior to commencement of development)

This condition is as follows:

“Prior to the development commencing on-site car parking areas shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan 0/A000/LP/011 Rev. A and retained thereafter available for that specific use in association with this development.”

This condition remains extant and is not for discharge. I trust you will comply with this condition.

Condition 11 (Obscured and Fixed Glazing)

This condition is as follows:

“The first and second floor windows on the northern elevation of the proposed building shall be glazed with obscured glass and shall be fixed so as to be incapable of being opened below a height of 1.8 metres above floor level, and shall be retained in that form thereafter.”

This condition remains extant and is not for discharge. I trust you will comply with this condition.

Summary

The details submitted for conditions 2 (Materials) and 4 (Construction Management Plan) are acceptable subject to the development being carried out in accordance with these details. Please note that further details are required further to conditions 3 (Landscaping Implementation) and Condition 7 (Noise Assessment).

Please do not hesitate to contact me if you have any questions or require further information.

Yours sincerely

June Pagdin
Senior Development Management Officer