

To: Mr D Carmichael  
LGH  
1 Pemberton Place  
Bambridge  
CB2 1XB

## **Important – Planning permission and notices of consent**

### **Compliance with conditions**

- Your planning approval or consent is attached. It will contain conditions that you must comply with.
- Please read the conditions and understand their requirements and restrictions, for example submission and approval of details or measures to protect trees.
- Some conditions will require action before you start development and it is imperative that you seek to have these discharged before any work commences.
- Whilst every effort has been made to group conditions logically, it is your responsibility to ensure that you are aware of the requirements and/or restrictions of all conditions.
- If you fail to comply with the conditions this may result in a breach of planning control and this may lead to enforcement action.
- Failure to comply with conditions may also result in the development not being lawful.
- It is in your interests to demonstrate that conditions have been complied with. Failure to do so may cause difficulties if the property is sold or transferred.
- A fee may be payable for each request to discharge conditions.

For advice on any of these matters, please contact the duty planning officer or the case officer at Welwyn Hatfield Borough Council, Campus East, The Campus, Welwyn Garden City, AL8 6AE or by email [planning@welhat.gov.uk](mailto:planning@welhat.gov.uk) between 0900 – 1100 daily.

**Notice of Decision  
Town and Country Planning Act 1990  
Town and Country Planning (Development  
Management Procedure) (England) Order 2015  
Approval of Permission for Development**

To: Mr D Carmichael

**Application No:** 6/2019/0085/MAJ

**Date of Approval:** 29 November 2019

**WELWYN HATFIELD BOROUGH COUNCIL, in pursuance of powers under the above mentioned act, hereby GRANT, subject to the development beginning not later than 3 years from the date hereof to: -**

**Development:** Erection of building comprising sports hall with associated changing facilities and 7 x classrooms built on existing hard play tennis courts; 4 x hard play sports pitches to be provided to replace existing; provision of 33 x parking spaces; and two mobile classrooms to be provided for the duration of the project

**At Location:** Chancellors School, Pine Grove, Brookmans Park, Hatfield, AL9 7BN

**Applicant:** Mr J Buoy

**Application Date:** 16 January 2019

**This planning permission is subject to a Section 106 agreement.**

In accordance with the conditions listed below: -

**PRIOR TO COMMENCEMENT**

1. Development must not commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan must include details of the following:
  - 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.

Subsequently, the construction of the development must only be carried out in accordance with the approved Construction Management Plan.

REASON: In the interest of highway safety in accordance with Policy SADM2 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016 and the National Planning Policy Framework 2019.

2. Development must not commence until a detailed surface water drainage scheme for the site based on the approved drainage strategy and sustainable drainage principles, has been submitted to and approved in writing by the Local Planning Authority. The detailed surface water drainage scheme must include:
  - a) Final detailed drainage layout;
  - b) Detailed engineered drawings of the proposed SuDS features including cross section drawings, their size, volume, depth and any inlet and outlet features including any connecting pipe runs;
  - c) Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

Subsequently, the approved surface water drainage scheme must be implemented in accordance with the approved details prior to first occupation of the development.

REASON: To prevent the risk of flooding in accordance with Policy R7 and R10 of the Welwyn Hatfield District Plan 2005, Policy SADM14 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016 and the National Planning Policy Framework 2019.

3. Development must not commence until precise details of the replacement hard play sports pitches have been submitted to and approved in writing by the Local Planning Authority. These details must include:
  - a) Dimensions and line marking in plan form (metrically scaled); and
  - b) Design of perimeter fencing (metrically scaled) and appearance.

Subsequently, the approved details must be completed and made available for use prior to first occupation of the development hereby approved and retained permanently thereafter.

REASON: To ensure the hard play sport pitch can be used for its purpose in accordance with the National Planning Policy Framework 2019.

#### POST DEVELOPMENT COMMENCING

4. No development above ground level shall take place until precise details of the two mobile classrooms have been submitted to and approved in writing by the Local Planning Authority. These details must include:
  - a) Elevations and floor plans (to either 1:100 or 1:50); and
  - b) Type and colour of materials to be used on the external surfaces.

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; Supplementary Design Guidance 2005 (Statement of Council Policy); Policy SP9 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016; and the National Planning Policy Framework 2019.

5. The two temporary mobile classrooms are approved for a limited period only expiring on 31st January 2021. Subsequently, the two temporary mobile classrooms must be removed from the land.

REASON: To enable the Local Planning Authority to fully consider the effects of the development in the interests of protecting the Green Belt and visual amenity in accordance with Policies D1, D2 and GBSP1 of the Welwyn Hatfield District Plan 2005; Policies SP9 and SADM34 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016 and the National Planning Policy Framework 2019; and the National Planning Policy Framework 2019.

6. No development above ground level in any phase of the development shall take place until samples of the materials to be used in the construction of the external surfaces of the sports hall with associated changing facilities and 7xclassrooms hereby granted have been submitted to and approved in writing by the Local Planning Authority. The development must be implemented using the approved materials.

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; Supplementary Design Guidance 2005 (Statement of Council Policy); Policy SP9 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016; and the National Planning Policy Framework 2019.

7. No development above ground level in any phase of the development shall take place until details of an external lighting scheme have been submitted to and approved in writing by the Local Planning Authority (including vertical lux diagrams which show potential light trespass into windows of nearby residential properties). This scheme must meet the requirements within the Institution of Lighting Engineers guidance notes for the reduction of obtrusive lighting. Subsequently the development shall not be carried out other than in accordance with the approved details.

REASON: To minimise the potential for light pollution, in the interests of visual amenity, ecology, highway safety and the living conditions of neighbouring occupiers in accordance with Policies R20 and D1 of the Welwyn Hatfield District Plan 2005; Policy SADM11 and SADM18 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016; and the National Planning Policy Framework 2019.

#### PRIOR TO OCCUPATION

8. Prior to first use of the sports hall with associated changing facilities and 7 classrooms hereby approved, the new parking bays, as shown on drawing number: 2154/00/0101 Revision K, must be laid out, demarcated, levelled, surfaced and drained and retained thereafter for that specific use.

REASON: In the interest of highway safety in accordance with Policy SADM2 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016 and the National Planning Policy Framework 2019.

9. Prior to first use of the sports hall with associated changing facilities and 7 classrooms hereby approved, a Community Use Agreement must be submitted to and approved in writing by the Local Planning Authority. The Community Use Agreement must apply to the sports hall, multi-use games area, playing fields and supporting ancillary facilities to ensure that community access to the sports facilities are secured. The Community Use Agreement must include details of the following:

- a) Policy and arrangement for community use;
- b) Pricing;
- c) Hours of use;
- d) Types of booking accepted;
- e) Restrictions on community use
- f) Access by non-educational establishment users;
- g) Management responsibilities; and
- h) A mechanism for review.

The approved Community Use Agreement must fully adhered to following first use of the sports hall.

REASON: To ensure use of new education facilities for community activities and in the interest of highway safety, in accordance with Policy CLT7 of the Welwyn Hatfield District Plan 2005; Policy SADM2 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016; and the National Planning Policy Framework 2019.

10. The development hereby approved must be carried out in accordance with the submitted Surface Water Drainage Strategy Drainage Arrangements drawing, drawing number 1903-330\_001 Revision A, dated 26th April 2019 and the following mitigation measures:

- a) Limiting the surface water run-off generated by the critical storm events so that it will not exceed the surface water run-off rate of 5 l/s during the 1 in 100 year event plus 40% of climate change event;
- b) Providing storage to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event

providing a minimum of 168 m3 (or such storage volume agreed with the LLFA) of total storage volume in cellular storage tanks;

c) Discharge of surface water from the private drain into the Thames Water surface water sewer network.

The mitigation measures shall be fully implemented prior to first occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

**REASON:** To prevent the risk of flooding in accordance with Policy R7 and R10 of the Welwyn Hatfield District Plan 2005, Policy SADM14 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016 and the National Planning Policy Framework 2019.

11. Noise from any plant and equipment associated with the development hereby approved must be 10dB (LAeq) below the background noise level (LA90) at the nearest residential properties.

**REASON:** To protect the living conditions of neighbouring residents in terms of noise, in accordance with Policy R19 of the Welwyn Hatfield District Plan 2005; Policy SADM18 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016; and the National Planning Policy Framework 2019.

#### DRAWING NUMBERS

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

<b>Plan Number</b>	<b>Revision Number</b>	<b>Details</b>	<b>Received Date</b>
2154/00/010 1	K	Site Plan	16 January 2019
2154/00/000 2		Existing Site Plan	16 January 2019
2154/00/003 0		Existing Elevations	16 January 2019
2154/00/010 0		Location Plan - Proposed	16 January 2019
2154/00/011 0		Ground and First Floor Plans	16 January 2019
2154/00/011 1		Clerestorey and Roof Plan	16 January 2019
2154/00/012		Sections	16 January 2019

0

2154/00/013 Elevations in Context 9 January 2019

1

2154/00/010 Location Plan - Existing 4 July 2019

3

2154/00/013 A Proposed Elevations 4 July 2019

0

**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).

### **Informative(s)**

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 which may affect the land.

2. 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/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

3. 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/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.



4. 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-roadsandpavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.
5. Modeshift STARS is the national schools awards scheme that has been established to recognise schools that have demonstrated excellence in supporting cycling, walking and other forms of sustainable travel. The scheme encourages schools across Hertfordshire (and Country) to join in a major effort to increase levels of sustainable and active travel in order to improve the health and well-being of children and young people. Every school in England (outside of London) can participate in Modeshift STARS for free. On completion of an application for Modeshift STARS, schools will automatically have a brand new national standard School Travel Plan. To register for Modeshift Stars, visit <https://www.modeshiftstars.org/contact>. Support is available to schools in Hertfordshire from Hertfordshire County Council's Active & Safer Travel Team by contacting [activeandsafertravel@hertfordshire.gov.uk](mailto:activeandsafertravel@hertfordshire.gov.uk)
6. Cadent have identified operational gas apparatus within the application site boundary. This may include a legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent assets in private land. The Applicant must ensure that proposed works do not infringe on Cadent's legal rights and any details of such restrictions should be obtained from the landowner in the first instance. If buildings or structures are proposed directly above the gas apparatus then development should only take place following a diversion of this apparatus. The Applicant should contact Cadent's Plant Protection Team at the earliest opportunity to discuss proposed diversions of apparatus to avoid any unnecessary delays. If any construction traffic is likely to cross a Cadent pipeline then the Applicant must contact Cadent's Plant Protection Team to see if any protection measures are required. All developers are required to contact Cadent's Plant Protection Team for approval before carrying out any works on site and ensuring requirements are adhered to. Email: [plantprotection@cadentgas.com](mailto:plantprotection@cadentgas.com) Tel: 0800 688 588



Colin Haigh  
**Head of Planning**



## **Town and Country Planning Act 1990**

### Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of The Town and Country Planning Act.
- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or 12 weeks in the case of a householder appeal of the date of this notice, whichever period expires earlier. •
- As this is a decision to refuse permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice;
- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at [www.gov.uk/government/organisations/planning-inspectorate](http://www.gov.uk/government/organisations/planning-inspectorate).
- The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by the Secretary of State.

### Purchase Notices

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that the owner can neither put the land to a reasonably beneficial use in its existing state nor render

the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

- In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter I of Part 6 of the Town and Country Planning Act 1990.

## WHY HERTFORDSHIRE BUILDING CONTROL?

Hertfordshire Building Control are owned by seven local authorities in Hertfordshire. In effect, as a resident in Hertfordshire, you own Hertfordshire Building Control. Any profit we make is returned to those local authorities who reinvest it into our communities, which you as a resident will benefit from. Therefore, by using our services you benefit from our experience and knowledgeable team of surveyors, and also from the investment made in the community by Local Authorities.

Being accountable to the public in this way means that we will not be compromised by people or organisations, and when things go wrong - for example buildings becoming dangerous as a result of poor building practices and improper inspections - we are the people who are called in to ensure that the area is made safe and further losses minimised.

Use Hertfordshire Building Control early on in your project to **prevent** such occurrences rather than having us being called in to **cure** them.

## WHAT HERTFORDSHIRE BUILDING CONTROL OFFERS:

- A truly independent service working on behalf of the property owner and accountable to the residents of Hertfordshire;
- Surveyors with the skills and experience to lead the compliance process ensuring that your property meets the standards required by Building Regulations
- A team with the capacity to provide a responsive service, ensuring that your project will be inspected when it needs to be and will not be held up
- The technology to increase surveyor time on site and improve our service to our customers;
- A one stop shop for all related activities including air testing, acoustic testing, engineering and SAP calculations and warranties;
- A company that returns 100% of its profits back to Local Authorities for investment in the community.

# HERTFORDSHIRE

**BUILDING CONTROL**

PROTECTING YOUR INTERESTS BY  
ENSURING QUALITY BUILDINGS

020 8207 7456  
[www.hertfordshirebc.co.uk](http://www.hertfordshirebc.co.uk)

## NEXT STEPS

Contact us as early as possible to make sure we can help you through the process. If you are sure about the type of building application you need to make, you can download the forms online at [www.hertfordshirebc.co.uk](http://www.hertfordshirebc.co.uk)

If you have any concerns or questions then please call us on **020 8207 7456** or email [buildingcontrol@hertfordshirebc.co.uk](mailto:buildingcontrol@hertfordshirebc.co.uk)

Hertfordshire Building Control  
Hertsniere Civic Offices  
Elstree Way  
Borehamwood  
Hertfordshire  
WD6 1WA

020 8207 7456  
[buildingcontrol@hertfordshirebc.co.uk](mailto:buildingcontrol@hertfordshirebc.co.uk)  
[www.hertfordshirebc.co.uk](http://www.hertfordshirebc.co.uk)

**LABC**  
Leading the way in Building Control



### WHAT IS BUILDING CONTROL?

Building Control ensures that architects, builders and other professionals in the construction industry adhere to the Building Regulations when designing and building structures. The Building Regulations set the standards for the design and construction of buildings to ensure that they are safe, accessible and energy efficient.

### DOES MY PROJECT NEED BUILDING CONTROL APPROVAL?

Projects that involve extensions, structural changes, loft or garage conversions or changes to electrical wiring will - in the vast majority of cases - need Building Control certification. It is a legal requirement.

To check whether your project requires building control approval please call one of our qualified surveyors on **020 8207 7456** who will be happy to advise you. Or contact us at the following email address [buildingcontrol@hertfordshirecc.co.uk](mailto:buildingcontrol@hertfordshirecc.co.uk). Alternatively, there is a lot of useful advice contained on our website, [www.hertfordshirecc.co.uk](http://www.hertfordshirecc.co.uk).

### WHY DO I NEED BUILDING CONTROL?

There is a legal requirement that work carried out on buildings, including alterations, extensions and garage and loft conversions are inspected and certified by an authorised Building Control body. Building Control protects the interests of the property owner ensuring that architects and builders adhere to the standards required in the Building Regulations. Sadly, there are a number of rogue operators who will cut corners to save themselves money and in doing so cause buildings to be unsafe, difficult to access or exit, and energy inefficient. The building control surveyor is there to ensure that standards are adhered to and to certify the work carried out. This is not only important for you when living in your property but also when you come to sell it, as it could delay or prevent a sale if the appropriate certification has not been completed.

### IS THIS DIFFERENT FROM PLANNING?

Building Control is separate from planning which deals with the appearance of buildings and how they fit into their environment. Your project may also need planning consent, which is a different process.

You may be receiving this advice note because you have submitted plans to your Local Authority planning department, if not you will need to contact them to discuss planning requirements. Links to contact Local Authority Planning departments are on our website.

### WHAT DO BUILDING CONTROL SURVEYORS DO?

Building Control Surveyors work on behalf of the property owner and with architects, builders and other construction professionals to lead the compliance process, certifying that buildings conform to Building Regulations. The mission of Hertfordshire Building Control is to ensure quality buildings and add value for our customers and communities by leading the compliance process. Essentially the surveyor protects the interests of the property owner and should therefore be independent of the architect and/or builder. Make sure that it is you and not your builder or architect who selects your Building Control provider, or that you have carried out the necessary due diligence.