

# Development Management

Welwyn Hatfield Borough Council

The Campus, Welwyn Garden City, Herts AL8 6AE

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**WELWYN  
HATFIELD**

## Application for removal or variation of a condition following grant of planning permission. Town and Country Planning Act 1990. Planning (Listed Buildings and Conservation Areas) Act 1990

### Publication of applications on planning authority websites.

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

### 1. Site Address

Number	15
Suffix	
Property name	Flats 15A-E
Address line 1	Station Road
Address line 2	
Address line 3	
Town/city	Cuffley
Postcode	EN6 4HT

Description of site location must be completed if postcode is not known:

Easting (x)	530512
Northing (y)	202758

Description

We have a situation at the newly built flats 15a-15e, where condition 11 of our approved application ref: 6/2015/2333/FULL for non opening windows on the North Elevation is causing new tenants considerable discomfort in their internal environment. This discomfort comes in the form of an inability to flow through fresh air to bedrooms, bathrooms and kitchens, reduce condensation and potentially could be a harm to their health. Either in general stagnant air or more importantly in the potential growth of dangerous, respiratory disease causing, black mould which could build up because of this lack of ventilation and increased risk of condensation. We have had numerous complaints from the tenants and urgently wish to seek variation to this condition 11 to allow for partially opening windows. We felt this would be a balance between good design and health for the occupants, and respect for the adjacent neighbors in upholding the original condition to a degree. This would be facilitated, by managing agent held - key locking window opening restrictors, being fitted to the inside of the window frames. This mechanism would allow for a maximum window opening of 80mm create adequate ventilation of these rooms at the North Elevation and adequate privacy to the adjacent gardens. Which indecently are shielded by trees. Planning Enforcement Officer Chris Perry received a complaint from adjacent property owners regarding these windows being openable at the end of construction. We met with Mr Perry on site and Had all the windows handles removed and opening casement frames screwed shut, to adhere to the original condition. We hope you will consider the implications of health and well being to our newly resident tenants and the best resolutions for maintaining our buildings internal environment through good design.

Extract from Planning Enforcement Officer below, regarding original complaint on fully opening windows.

The Council have received a complaint in relation to the development at Land adjacent to and rear of 17 & 17a Station Road Cuffley ref: 6/2015/2333/FULL regarding the first & second floor windows on the northern elevation & as you have represented your client in making the application & discharging conditions I thought it would be better to contact you in the first instance.

Condition 11 attached to the planning permission states:

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.

REASON: To protect the residential amenity of adjoining occupiers in accordance with Policy D1 of D1 of the Welwyn Hatfield District Plan 2005

### 2. Applicant Details

Title	Mr
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## 2. Applicant Details

First name	Terry
Surname	Bambridge
Company name	Willow City Estates PLC
Address line 1	Robins Nest Farm
Address line 2	Robins Nest Hill
Address line 3	Little Birkhamstead
Town/city	Hertford
Country	
Postcode	SG13 8LL
Primary number	
Secondary number	
Fax number	
Email address	

Are you an agent acting on behalf of the applicant?

Yes  No

## 3. Agent Details

Title	Mr
First name	Stuart
Surname	Hancock
Company name	Hancock Architecture Ltd
Address line 1	First Floor Offices
Address line 2	Unit 47
Address line 3	The Shipyard Estate
Town/city	Brightlingsea
Country	
Postcode	CO7 0AR
Primary number	07742644587
Secondary number	
Fax number	
Email	stuart@hancockarchitecture.co.uk

## 4. Description of the Proposal

Please provide a description of the approved development as shown on the decision letter

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Reference number

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Date of decision (date must be pre-application submission) 04/02/2016

**Please state the condition number(s) to which this application relates**

Condition number(s)

11

Has the development already started?

Yes  No

If Yes, please state when the development was started (date must be pre-application submission)

01/01/2017

Has the development been completed?

Yes  No

If Yes, please state when the development was completed (date must be pre-application submission)

29/01/2019

#### 5. Condition(s) - Removal/Variation

Please state why you wish the condition(s) to be removed or changed

Please see description

If you wish the existing condition to be changed, please state how you wish the condition to be varied

Please see description

#### 6. Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

Yes  No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- The agent  
 The applicant  
 Other person

## 7. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

Yes  No

## 8. Ownership Certificates and Agricultural Land Declaration

**CERTIFICATE OF OWNERSHIP - CERTIFICATE A - Town and Country Planning (Development Management Procedure) (England) Order 2015 Certificate under Article 14**

I certify/The applicant certifies that on the day 21 days before the date of this application nobody except myself/the applicant was the owner\* of any part of the land or building to which the application relates, and that none of the land to which the application relates is, or is part of, an agricultural holding\*\*

\* 'owner' is a person with a freehold interest or leasehold interest with at least 7 years left to run. \*\* 'agricultural holding' has the meaning given by reference to the definition of 'agricultural tenant' in section 65(8) of the Act.

**NOTE:** You should sign Certificate B, C or D, as appropriate, if you are the sole owner of the land or building to which the application relates but the land is, or is part of, an agricultural holding.

Person role

- The applicant  
 The agent

Title

First name

Surname

Declaration date (DD/MM/YYYY)

Declaration made

## 9. Declaration

I/we hereby apply for planning permission/consent as described in this form and the accompanying plans/drawings and additional information. I/we confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

Date (cannot be pre-application)