

Mrs Sarah Madyausiku
Planning & Building Control
Welwyn & Hatfield Borough Council
Campus East
The Campus
Welwyn Garden City
Hertfordshire
AL8 6AE

Taylor Wimpey North Thames
1st Floor Building 2
Imperial Place
Maxwell Road
Borehamwood
Hertfordshire
WD6 1JN

T: 020 8236 3800

www.taylorwimpey.co.uk

14 February 2020

Dear Sarah

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) SECTION 73
MINOR MATERIAL AMENDMENT APPLICATION TO PLANNING PERMISSION REFERENCE:
6/2018/1519/MAJ
LAND NORTH OF CHEQUERSFIELD, WELWYN GARDEN CITY**

We write to submit an application under Section 73 of the Act to vary Condition 6 on planning permission decision notice 6/2018/1519/MAJ dated 11 December 2018.

This minor material amendment is required as the 12 accessible apartments that were approved by Welwyn & Hatfield Borough Council under the above-mentioned planning permission reference, were designed to meet Lifetime Home Standards and not the requirements of Part M4(2) of the Building Regulations 2010. Further design work has established that the apartments cannot be retrospectively adapted to meet the requirements of Part M4(2).

Condition 6 states:

“Prior to any development above ground level a scheme setting out the arrangements for the delivery of accessible housing will be supplied to the Local Planning Authority in accordance with the following requirement:

- a) ***All 9 of the ground apartments across both Flat Block A and Flat Block B shall be provided to meet Building Regulations Part M4(2) standards for ‘accessible and adaptable dwellings’ in accordance with the approved plot schedule and plan references:
- 21188-BlockA-110 C1;
- 21188-BlockB-110 C1 (Sheet 1);
- 21188-BlockB-110 C1 (Sheet 2).***
- b) ***The person carrying out the building work must inform the Building Control body which requirements apply.***

- c) *Written verification of the completion of all dwellings in accordance with b) above will be supplied to the Local Planning Authority within 30 days of the practical completion of the apartment blocks.*

Reason:

“To ensure that suitable housing is provided to households in need of accessible housing in accordance with Policies D1 and H10 of the Welwyn Hatfield District Plan 2005 and SP7 of the Draft Local Plan Proposed Submission (August 2016).”

a. Proposed Variation to Condition

It is proposed to amend Condition 6 as follows. Proposed deleted text is shown as strikethrough and proposed new text as underlined:

~~*“Prior to any development above ground level a scheme setting out the arrangements for delivery of accessible housing will be supplied to the Local Planning Authority in accordance with the following requirements:*~~

- a) The 12 Accessible Apartments located in Block B namely plots 13, 14, 15, 16, 19, 20, 21, 22, 25, 26, 27 and 28 will be delivered to the Local Planning Authority in accordance with Lifetime Homes Standards as detailed in the approved Design and Access Statement and approved plans associated with this planning permission.
- ~~a) All 9 of the ground apartments across both Flat Block A and Flat Block B shall be provided to meet Building Regulations Part M4(2) standards for ‘accessible and adaptable dwellings’ in accordance with the approved plot schedule and plan references:
- 21188-BlockA-110 C1;
- 21188-BlockB-110 C1 (Sheet 1);
- 21188-BlockB-110 C1 (Sheet 2).~~
- ~~b) The person carrying out the building work must inform the Building Control body which requirements apply.~~
- b) *Written verification of the completion of all dwellings in accordance with b) a) above will be supplied to the Local Planning Authority within 30 days of the practical completion of the apartment blocks.*

b. Justification

Planning Condition 6 attached to planning permission reference 6/2018/1519/MAJ required that at least 12 apartments be built to the standards as set out in Part M4(2) of the Building Regulations 2010.

The scheme that was submitted to and approved by the Council under Planning Permission Reference: 6/2018/1519/MAJ was never designed to meet the requirements and standards as set out in Part M4(2) of the Building Regulations 2010. However, the scheme was designed so that 12 apartments would meet the requirements of the Lifetime Homes Standards. This was detailed in the submitted Design & Access Statement that accompanied the original planning permission.

Following the issuing of the decision notice, a non-material amendment application was approved on 02 January 2020 which sought to adapt 9 units to comply with the requirements of Part M4(2). However, as work has progressed on site and further analysis of the requirements of Part M4(2) has been undertaken, it has become clear that no apartments on site can retrospectively be adapted to meet the requirements of M4(2) of the Building Regulations 2010.

Before the apartments can be handed over to the Local Authority, they must be signed off by the NHBC which will be dependent upon discharging planning condition 6. Condition 6 must be varied in order for it to be fully discharged.

Given the tight timescales, we feel that it would be prudent to link the above variation to condition 6 with application reference: 6/2019/2344/VAR which is currently being determined by the local planning authority. An appropriate timescale to extend the determination deadline for application reference 6/2019/2344/VAR can

be agreed to allow sufficient time for the statutory consultation period to be undertaken with regard to the variation of condition 6.

c. Application Submission

We enclose the following documents

- Application Forms & Certificates;
- Site Location Plan – LSD209-01 J

In addition, a payment has been made to Welwyn & Hatfield Borough Council via the Planning Portal for the sum of £234 as the required fee for this planning application.

I look forward to receiving confirmation of registration and validation of this application. Please don't hesitate to contact me on 020 8236 3862 or jack.brudenell@taylorwimpey.com should you have any questions.

Yours Sincerely,



Jack Brudenell MRTPI
Planning Manager – Taylor Wimpey North Thames

Enc.