

To: Taylor Wimpey  
Taylor Wimpey  
1st Floor  
2 Imperial Place  
Maxwell Road  
Borehamwood  
WD6 1JN

## **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**

To: Taylor Wimpey

**Application No:** 6/2019/2344/VAR

**Date of Approval:** 30 July 2020

**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 within the original permission to which this application varies: -**

**Development:** The variation of condition 6 (accessible housing), the variation of condition 1 (contamination), condition 8 (photovoltaic panels) and the variation of condition 4 (noise from nearby sources) on planning permission 6/2018/1519/MAJ.

**At Location:** Land north of Chequersfield Welwyn Garden City AL7 4TX

**Applicant:** Taylor Wimpey

**Application Date:** 31 October 2019

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

In accordance with the conditions listed below: -

1. The scheme of remediation agreed as part of application reference 6/2020/0807/COND shall be implemented in accordance with those approved details.

**REASON:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and others offsite in accordance with Policies R2 and R7 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

2. The construction method statement agreed as part of application reference 6/2019/0426/COND shall be implemented in accordance with those approved details.

**REASON:** To ensure satisfactory provision to protect the residential amenity of adjoining occupiers and highway safety in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework

3. The revised material schedule submitted as part of application reference 6/2019/2130/COND shall be implemented in accordance with those approved details.

REASON: To ensure satisfactory provision to protect the residential amenity of adjoining occupiers and highway safety in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

4. The noise mitigating scheme agreed as part of application reference 6/2020/0521/COND shall be implemented in accordance with those approved details.

Reason: To protect the occupants of the new development from excessive over heating in accordance with policy R19 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

5. The details outlined in the submitted Landscape and Mitigation Plan, referenced TWNT20972LMP and dated 08/03/2019 submitted as part of application reference 6/2019/0786/COND shall be implemented in accordance with those approved details.

REASON: To ensure satisfactory provision to protect the residential amenity of adjoining occupiers and highway safety in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

6. a) The 12 accessible dwellings located in Block B namely plots 13, 14, 15, 16, 19, 20, 21, 22, 25, 26, 27, and 28 must be delivered in accordance with Lifetime Homes Standards as detailed in the approved plans associated with this planning permission and retained thereafter.

b) Written verifications of the completion of the dwellings in accordance with a) above must be submitted to and agreed in writing by the Local Planning Authority prior to occupation of the accessible dwellings.

Reason: To ensure that suitable housing is provided for households in need of accessible homes in accordance with Policies D1 and H10 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

7. The details submitted in relation to bicycle parking as part of application reference 6/2019/2130/COND shall be implemented in accordance with those approved details.

REASON: To ensure satisfactory provision to protect the residential amenity of adjoining occupiers and highway safety in accordance with Policy D1 of the

Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

#### PRIOR TO OCCUPATION

8. The development must be carried out in accordance with the recommendations of AES Sustainability Consultants dated 1 July 2019, revision 1. The development shall thereafter be maintained in the approved form.

REASON: To ensure that the development contributes towards Sustainable Development and Energy efficiency in accordance with the National Planning Policy Framework and Policy R3 of the Welwyn Hatfield District Plan 2005.

9. The details of the location, number and design of bins submitted as part of application reference 6/2019/2130/COND shall be implemented in accordance with those approved details.

REASON: To ensure satisfactory provision to protect the residential amenity of adjoining occupiers and highway safety in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

10. Prior to the first occupation of the development hereby permitted the on-site car and cycle parking and areas for servicing and turning shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plans and retained thereafter available free of charge for use by the residents of the site and their visitors.

REASON: To ensure the permanent availability of the parking and manoeuvring areas in the interest of highway safety and to support cycling as an alternative to the use of the private motor car in accordance with Policy M6 and M14 of the Welwyn Hatfield District Plan and the National Planning Policy Framework.

11. Prior to the first occupation of the development hereby permitted, the vehicular access must be provided and thereafter retained at the position shown on the approved plan drawing number LSD209-01 Rev J. Arrangement must be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with R7 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

12. Prior to the first occupation of the development hereby permitted a visibility splay must be provided in full accordance with the details indicated on the approved plan number (LSD209-01 Rev J). The splay shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

Reason: In the interests of highway safety in accordance with Policy M1 of Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

13. The development permitted by this planning permission shall not be carried out other than in accordance with the approved Flood Risk Assessment dated May 2018 produced by Mewies Engineering Consultants Ltd, including:
  1. Discharge of surface water via infiltration.
  2. Provision of 142 m<sup>3</sup> of storage sufficient to manage surface water up to the 1 in 100 plus 40% for climate change rainfall event.

Reason: To prevent flooding by ensuring the satisfactory disposal of and storage of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants in accordance with Policy R7 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

14. The development hereby permitted shall not be undertaken other than in accordance with the sustainability statement dated February 2019 demonstrating that the measures in that report will lead to a 10.03% reduction in carbon emissions over the minimum compliance levels within the Building Regulations 2013.

REASON: In the interests of sustainable development in accordance with Policy R3 of the Welwyn Hatfield District Plan and the National Planning Policy Framework.

#### POST DEVELOPMENT COMMENCING

15. All agreed landscaping comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the first building, the completion of the development, or in agreed phases whichever is the sooner: and any plants which within a period of ten years from the 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. All landscape works shall be carried out in accordance with the guidance contained in British Standards 8545: 2014.

REASON: To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development in accordance with Policies GBSP2, D2 and D8 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

16. No external lighting shall be installed without the prior agreement in writing of the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON: In the interests of the visual amenities of the area in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

#### DRAWING NUMBERS

17. 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>
21188-BlockA-51	C3	Block A Front Elevation	9 October 2019
21188-BlockA-52	C2	Block A Side Elevation	9 October 2019
21188-BlockA-53	C2	Block A Rear Elevation	9 October 2019
21188-BlockB-41	C2	Block B Indicative Roof Plan - sheet 1 of 2	9 October 2019
21188-BlockB-42	C2	Block B Indicative Roof Plan - sheet 2 of 2	9 October 2019
21188-BlockB-51	C3	Block B Front Elevation	9 October 2019
21188-BlockB-52	C4	Block B Rear Elevation	9 October 2019
21188-BlockB-53	C3	Block B Side Elevation	9 October 2019
21188-Site Plan-100		Site Plan Variation of Condition Number 6	9 October 2019
21188-BlockA-41	C2	Block A Indicative Roof Plan	9 October 2019
LSD209-01.01	A	Location Plan	31 October 2019
LSD209-01	J	Site Plan	21 February 2020
LSD209-200	B	Constraints Plan	6 June 2018
22573-02-070-001	B	Drainage Layout	6 June 2018

22573-08- 010-04	Fire appliance tracking	29 November 2018
6100/PP/AS E P1	Planting Plan	17 October 2018

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 planning decision letter should be read in conjunction with the S106 Legal Agreement dated 11 December 2018.
2. The development will involve the numbering of properties and/or the naming of new streets. The applicant MUST contact Welwyn Hatfield Borough Council, Environmental Services (01707 357 000) before any name or number is proposed. This is a requirement of the Public Health Act 1875 and Public Health (Amendment) Act 1907.
3. 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 then authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <http://hertsdirect.org/serices/transstreets/highways/> or by telephoning 0300 1234047.
4. The applicant is advised that all new roads associated with this development will remain unadopted and the developer should put in place a permanent arrangement for long term maintenance. At the entrance of the new estate the road name plate should indicate that it is a private road to inform purchasers of their future maintenance liabilities. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.
5. 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-anddeveloper-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

6. All works and ancillary operations that are audible at the site boundary or at such other place as may be agreed with the Council, shall be carried out only between the hours of:  
8.00am and 6.00pm on Mondays to Fridays  
8.00am and 1.00pm on Saturdays  
and at no time on Sundays, Bank Holidays and Public Holidays
  
7. The glazing scheme and associated mechanical ventilation scheme must take into account noise from the nearby industrial units and traffic noise. The scheme must also meet the ventilation standards within the Noise Insulation Regulations 1975 (as amended).
  
8. 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 <http://www.hertsdirect.org.services/transtreets/highways> or by telephoning 0300 1234047.
  
9. All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development. As indicated above, the adjacent railway access road is used on a 24/7 basis and should remain clear and unobstructed at all times, both during construction and during subsequent use of the site.
  
10. 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-anddeveloper-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.





11. No part of the development, or plant, vehicles or machinery associated with the construction of the development, block or restrict the access road for the Borofield Road feeder stations which runs along the northern boundary of the proposed site. Additionally, use of the access road must remain clear and unrestricted at all times during subsequent use of the site.
12. The Developer should be aware that any development for residential use adjacent to an operational railway may result in neighbour issues arising. Consequently every endeavour should be made by the developer to provide adequate soundproofing for each dwelling. Please note that in a worst case scenario there could be trains running 24 hours a day and the soundproofing should take this into account.
13. The best practicable means, as defined in section 72 of the Control of Pollution Act 1974, to reduce noise to a minimum shall be employed at all times
14. All machines in intermittent use shall be shut down during intervening periods between work, or throttled down to a minimum. Noise emitting equipment, which is required to operate continuously, shall be housed in suitable acoustic enclosures.
15. All compressors shall be sound reduced models, fitted with properly lined and sealed acoustic covers, which shall be kept closed whenever the machines are in use. All ancillary pneumatic percussive tools shall be fitted with mufflers or silencers of the type recommended by the manufactures.
16. All plant and machinery in use shall be properly silenced and maintained in accordance with the manufacturers' instructions.
17. The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-anddeveloper-information/development-management/highways-developmentmanagement.aspx> or by telephoning 0300 1234047.
18. Permissible noise levels are not specified at this stage.
19. Any planned deviations from these conditions for special technical reasons, shall be negotiated with Council at least 14 days prior to the commencement of the specific work.



20. Any emergency deviation from these conditions shall be notified to the Council without delay.
21. BS 5228 Noise Control on Construction Sites' should be referred to for guidance in respect of all work carried out by the developer, their main contractor and any sub contractors.
22. In general, equipment for breaking concrete and the like, shall be hydraulically actuated.
23. Where practical, rotary drills and bursters, actuated by hydraulic or electric power shall be used for excavating hard material
24. All pile driving shall be carried out by a recognised noise reducing system.
25. Water sprays shall be used, as and when necessary, to reduce dust from particularly "dusty" activities or stock piles.
26. Stock piles of materials for use on the site or disposal, that are likely to generate dust, shall be sited so as to minimise any nuisance to residents or neighbouring businesses. Materials for disposal shall be moved off site as quickly as possible.
27. All efforts shall be made to reduce dust generation to a minimum.
28. Items of plant and equipment shall be maintained in good condition so that extraneous noise from mechanical vibration, squeaking or creaking is reduced to a minimum.

A handwritten signature in black ink, appearing to read 'Colin Haigh'.

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

## 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  
Hertsmere 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)



## HERTFORDSHIRE

BUILDING CONTROL

PROTECTING YOUR INTERESTS BY  
ENSURING QUALITY BUILDINGS

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





### 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 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.