

**Dear David,**

**Please find below our requirements for agreement in second discharge of conditions.**

- We seek to satisfy and discharge the remaining conditions on the Cuffley Flats and Shop as addressed in our application.
- We have various as-built and other changes that have meant that original proposals are now different and we require agreements or comment on the following.
- We have an issue regarding window restrictors, Officer Chris Perry at Welhat Planning Enforcement, has been advised on our alternative window restrictor which we show below and in attached drawing 0/A600/CN/206/A. He is awaiting planners decision so that we may meet on site to review fitted restrictors. (Still not fitted as not agreed with planners)

**Pending Conditions in black , our response in blue.**

Development: Variation of condition 8 (first & second floor northern elevation windows) and condition 10 (approved plans) on planning permission 6/2016/1857/VAR At Location: Flats 15A-E, 15 Station Road, Cuffley, EN6 4HT

Application Date: 29 March 2019

Approved Date: 11/June/2019

#### 1. Parking

Within 3 months from the date of this decision notice, the on-site car parking areas must be laid out and demarcated in accordance drawing number: 0/A000/LP/011 Rev A, and must be retained permanently thereafter.

REASON: In the interest of highway safety in accordance with Policy D1 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.

The contractor has made changes to enlarge the parking area under direction from Willow City Estates PLC,  
site constraints have meant that this has been done differently to the agreed drawing

PARKING 2 Rev A, we seek agreement for the as-built scheme currently successfully being managed by residents.

Evidenced images and As-Built plan attached to this email – Drawing No: 0/A000/LP/011 Rev E PARKING As-Built.

Please also see evidence image of new tenant and finished shop on ground floor.



We would like to point out a few points that may help in planners decision making.

- a)The residents now have a functioning permit scheme which stops others from illegally parking on this private land.  
This has resulted in vastly reducing the previously surveyed parking requirement.
- b)There is no Right for anyone to park on this land, it is by grace of the landowner for convenience to residents on his title.
- c)There is wayleave for access for residents only

- d) Residents have been managing their parking positions themselves with great success since June 2019
- e) Willow City Estates PLC commented that at some time in the past they demarcated parking bays and fights broke out between residents.  
My client has expressed their wish to NOT demarcate parking to minimise risk of conflict and uphold the trust in self management by residents.
- f) The neighbouring car park adjacent / North of the Council Offices is free for 1 hr, free in evenings and weekends.  
The residents and shop/business owners know this and use this Car Park more regularly.
- g) Willow City Estates PLC seeks to minimise further disruption to residents now the building is completed as they have been  
more than patient for well over a year of the main construction of the new building and its many interruptions to their legal access.
- h) My client wishes to remain more economical and therefore ecological with remaining development in retaining large areas of hard substrate still  
Perfectly functional for parking and rainwater runoff rather than a huge investment to effectively replace like with like.  
Might I also point out the side of costs for such works, the fuel, embodied energy and CO<sup>2</sup> saved in continuing to reuse the existing.

#### Further Information on As-Built Parking – **Bin Stores**

We have had to move our previously agreed internal Bin Stores Area from the building to a dedicated external bin store in the parking area.

Please see details and images on the attached drawing provided – for agreement/synchronisation.

We had to move this for the following reasons.

- Residents and Shop tenants complained of the smell of the bins in close proximity to their habitable areas.
- Building control insisted on blocking access to the internal bin store from the foyer making manoeuvring rubbish bags into wheelie bin awkward also for collection.
- The space was not big enough to accommodate the sheer number of wheelie bins required including recycling bins.
- Access was impossible as direct door access in my original design was deleted under guidance from Regional Building Control.

#### **Advantages**

- The new external enclosure houses all the bins comfortably.

- The bin collectors can collect faster and with less effort.
- The bins are more likely to be emptied and not forgotten on a collection day, where there can be risk of further decomposition, smell and health risks.
- The bins can easily be managed for cleaning and maintenance contractors.

## 6. Window Restrictors / North Facing Elevation

The first and second floor windows on the northern elevation of the building must be retained with obscure glazing and have opening restrictors fitted in accordance with the submitted Window Restrictor Details - drawing number: 0/A600/CN/206. Once fitted, the restrictors must remain in situ and be fully operational at all times thereafter.

REASON: To protect the living conditions of adjoining occupiers in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005, Policy SADM11 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016 and the National Planning Policy Framework 2019.

On installation of our previously agreed window restrictors it was found that on site, and clarified by window manufacturer that the low profile window frame would not accept the hidden restrictor or its mounting bar between window and frame.

### WINDOW RESTRICTORS ON NORTH FACING ELEVATION

Willow City Estates PLC's window fitter went to site to fit the agreed window 100mm restrictors.

Unfortunately he could not as the window profile of the REHAU Upvc 70c 52mm T Sash system has been fitted into the building close to the plaster

edge and the Upvc profile does not leave the expected void between window leaf and frame to house a standard window restrictor as agreed.

I have spoken to the manufacturers and they tell me the only option they can conceive is to use a string restrictor. Details below.

If we can gain agreement for this type then we can go forward to install them and satisfy the complaints from neighbouring Tolmers Gardens.

This will mean using a key lock type, If Willow City or property agents hold the keys this is our most secure option.

We will use tamper proof screws as agreed before on the fitment.

We now seek agreement on a surface mounted key/lock or NO Key permanent steel wire type restrictor (100mm clear opening only). Please see drawing 0/A600/CN/206/A

Products Web Links (Choice of two options)

Locking Type Wire Restrictor

<https://www.ironmongerydirect.co.uk/product/jackloc-cable-window-restrictor-white-566462>

Permanent NON locking Type Wire Restrictor

<https://www.ironmongerydirect.co.uk/product/jackloc-permanent-fixed-window-restrictor-white-474104>

## 7. External Lighting

Details of any external lighting proposed in connection with the development hereby approved, must be submitted to and approved in writing by the Local Planning Authority prior to installation of such external lighting.

REASON: In the interests of the visual amenities of the area in accordance with Policy D1 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

I have contacted the main contractor for details on external Lighting fitted. My specification was EP65 external use and 316 stainless steel bodies for luminaires. We had NO reply from the main contractor with regard to what was ordered.

However, in the photographs below it is clear to see visually these are as follows...

With low power LED bulbs not to exceed 360 Lumens in brightness.

Frosted Glazed domed luminaires with Low Power LED bulbs, low intensity light output.



Wall mounted Up/down lighters in Stainless Steel 4 no. With low power LED bulbs.







Any remaining wall lighting is at the shop front and installed by the tenants. Please contact them directly or Willow City Estates PLC for more information.

From what I can see and surveyed internally as part of final SBEM all their bulbs are LED low power. This includes the front signage, internal feature lights, ceiling luminaires, spot lights and chandelier.

#### 8. Agreed Drawings – Change to parking plan

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

( All Other Agreed Drawings Omitted from list shown)

0/A000/LP/01 (1 / A / Parking Plan / 30 May 2019)

REASON: To ensure that the development is carried out in accordance with the



approved plans and details.

This agreed drawing needs to change to as-built, please see **attached drawing** for agreement, with reference to our response of **Condition 1**.