

To: Ms Liz Fitzgerald  
Barker Parry Town Planning Ltd  
33 Bancroft  
Hitchin  
SG5 1LA

## **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: Ms Liz Fitzgerald

**Application No:** 6/2021/1263/MAJ

**Date of Approval:** 20 July 2021

**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:** Re-configuration of parking areas to facilitate improved parking provision.

**At Location:** Yodel Delivery Network Hatfield Business Park Frobisher Way  
Hatfield AL10 9TR

**Applicant:** Yodel Delivery Network

**Application Date:** 29 March 2021

In accordance with the conditions listed below: -

1. The development hereby approved must not be carried out other than in accordance with the approved surface water drainage assessment carried out by EAS and dated November 2016 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 8 l/s during the 1 in 100 year event + climate change event.
  - b) Undertake the drainage as indicated on drawing titled 'Proposed SUDS Strategy' drawing No.SK02.
  - c) Implement appropriate drainage strategy based on discharge to the offline ponds and later to the Ellen Brook.

The mitigation measures must be fully implemented prior the additional parking area hereby approved being brought into use 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 reduce the risk and impact of flooding by ensuring the satisfactory storage and disposal of surface water from the site during the lifetime of the development and to ensure surface water can be managed in a sustainable manner in accordance with Policy R7 and R10 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

2. Within 6 months of completion of the drainage works an updated management and maintenance plan for the all the Sustainable Drainage System (SuDS) features and structure, including arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime, must be submitted to and approved in writing by the Local Planning Authority.

REASON: To reduce the risk and impact of flooding by ensuring the satisfactory storage and disposal of surface water from the site during the lifetime of the development and to ensure surface water can be managed in a sustainable manner in accordance with Policy R7 and R10 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

3. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority, and an investigation and risk assessment must be undertaken, submitted to and approved, in writing, by the local planning authority in accordance with the following requirements:

i) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

ii) A site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. This should include an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, pests, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments.

iii) The site investigation results and the detailed risk assessment (ii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (iii) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of the above, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the above.

Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation

carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.

**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 other offsite receptors.

4. A landscape management and maintenance plan, including details of measures to protect and enhance existing flora, fauna and habitats within the development site shall be submitted to and approved by the Local Planning Authority in writing prior to the additional parking area hereby approved being brought into use. The landscape management and maintenance plan shall not be carried out other than in accordance with the approved details.

**REASON:** To protect the visual amenity value of the landscaping, and the biodiversity value of the habitat within the site in accordance with Policies R11 and D8 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

5. All agreed landscaping comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the additional parking area hereby approved being brought into use or the completion of the development, or in agreed phases whichever is the sooner: and any plants which within a period of five 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

#### DRAWING NUMBERS

6. 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>
004 - Revised parking	.	Revised Parking Layout	29 March 2021

layout

005 - Additional parking areas	.	Existing Parking Areas	29 March 2021
006 - Location plan	.	Location plan	29 March 2021
003 - Existing situation	.	Existing Situation	29 March 2021
DR-0002		Planting Plan	22 March 2021

**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 or legal interest (easements or wayleaves) which may affect the land.
2. In addition, and separate to your planning permission, for the majority of schemes, you are required by law to appoint a building regulator who will inspect your property at various stages during the course of your building project. This is to ensure it is compliant with the Building Regulations and the Building Act 1984.

The checks the building regulator will carry out include, but are not limited to, the structure, foundations, fire precautions and escape routes, electrical and plumbing compliance and other issues such as drainage and insulation. The objective of these checks is to ensure that your building is safe to live in, accessible and environmentally sustainable.

Once all build stages are checked and the works are finished, a Completion Certificate is issued confirming that these objectives have been met. You will also need the Completion Certificate, should you sell the property, as it will confirm to future owners that the work has been carried out in compliance with the Regulations.

As the owner of the property, you are responsible for Building Regulations compliance so we would urge you to decide which regulator to use, as opposed to leaving your builder or architect to make the choice. This is so that you can be sure the building regulator is truly independent and working to protect you from any breach or omission during the works.

Hertfordshire Building Control Limited are a Company wholly owned by eight local authorities in Hertfordshire including Welwyn Hatfield Borough Council. Please contact them on 01438 879990 or at [buildingcontrol@hertfordshirebc.co.uk](mailto:buildingcontrol@hertfordshirebc.co.uk) to discuss the process and all that is involved. Or alternatively refer to the Homeowner Information section on their website at [www.hertfordshirebc.co.uk](http://www.hertfordshirebc.co.uk)

*Chris Dale*

**Christopher Dale**  
**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 experienced 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@hartfordshirebc.co.uk](mailto:buildingcontrol@hartfordshirebc.co.uk). Alternatively, there is a lot of useful advice contained on our website: [www.hartfordshirebc.co.uk](http://www.hartfordshirebc.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, ensuring 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.