

**WELWYN HATFIELD BOROUGH COUNCIL
EXECUTIVE DIRECTOR - PLANNING, PUBLIC PROTECTION AND GOVERNANCE**

DELEGATED APPLICATION

Application No: 6/2022/0863/FULL
Location: Unit 13 Peartree Farm Welwyn Garden City AL7 3UW
Proposal: Erection of detached two-storey brick building for E(g) use with designated parking spaces for 6 vehicles and secure storage housing for 6 bicycles following demolition of existing timber building
Officer: Ms Emily Stainer

Recommendation: Granted

6/2022/0863/FULL

Context	
Site and Application description	<p>The application site is a piece of land located on Peartree Farm in Welwyn Garden City. The site comprises of a timber built structure, grass and hardstanding, which is currently fenced off. To the east of the site are residential properties including 74-78 Peartree Farm. To the north of the site is a coach hire company (Welham Travel) and to the south and west is the YMCA building.</p> <p>Planning permission is sought for the erection of a detached two-storey brick building for E(g) use with designated parking spaces for 6 vehicles and secure storage housing for 6 bicycles following demolition of existing timber building. The use class of the proposed building was altered during the application process due to changes to the Use Class Order which were introduced in September 2020. A re-consultation was carried out after this including a site notice being displayed for 21 days.</p>
Constraints (as defined within WHDP 2005)	<p>EM - Estate Management - Distance: 0</p> <p>Wards - Peartree - Distance: 0</p> <p>FM30 - Flood Zone Surface Water 30mm (1900245) - Distance: 0</p> <p>FM10 - Flood Zone Surface Water 100mm (2712820) - Distance: 0</p> <p>FM00 - Flood Zone Surface Water 1000mm (74329) - Distance: 0</p> <p>HEN - No known habitats present (medium priority for habitat creation) - Distance: 0</p> <p>SAGB - Sand and Gravel Belt - Distance: 0</p>
Relevant planning history	<p>Application Number: N6/2007/1741/PA Decision: Prior Approval Not Required Decision Date: 09 January 2008 Proposal: Redevelopment for dwelling</p> <p>Application Number: N6/2008/1121/PA Decision: Prior Approval Not Required</p>

	<p>Decision Date: 23 April 2008 Proposal: Proposed redevelopment</p> <p>Application Number: N6/2008/2327/FP Decision: Granted Decision Date: 26 January 2009 Proposal: Demolition of existing timber building, erection of one and a half storey brick building for B1 use, to include strip of residential land</p> <p>Application Number: 6/2015/1960/FULL Decision: Granted Decision Date: 24 November 2015 Proposal: Demolition of existing timber warehouse building and erection of detached brick built building for B1 use.</p> <p>Application Number: 6/2017/1486/VAR Decision: Withdrawn Decision Date: 24 August 2017 Proposal: Variation of condition 1 (approved plans) on planning permission 6/2015/1960/FULL.</p> <p>Application Number: 6/2018/1494/VAR Decision: Granted Decision Date: 31 August 2018 Proposal: Variation of condition 1 (approved plans and details) on planning permission 6/2015/1960/FULL</p> <p>Application Number: 6/2018/3099/FULL Decision: Granted Decision Date: 29 January 2019 Proposal: Erection of detached two-storey brick building for B1 use with designated parking spaces for 6 vehicles and secure storage housing for 6 bicycles following demolition of existing timber building</p>		
Consultations			
Neighbour representations	Support: 0	Object: 0	Other: 1
Publicity	<p>Site Notice Display Date: 14 June 2022</p> <p>Site Notice Expiry Date: 5 July 2022</p>		
Summary of neighbour responses	<p>Unit 9-12 Peartree Farm - The plan shows two double parking bays to the left of the wooden shed that are rented from the council and have been included within the proposed application. The former leaseholder of these bays should have surrendered them back to the council and they should be offered to the businesses in Peartree farm by way of tender and are not to be included ad hock for this development. The boundaries and leases of these bays clearly need clarification from the council before any work starts.</p>		
Consultees and responses	<p>HCC Transport Programmes & Strategy – Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.</p> <p>Hertfordshire Ecology - Given its setting, the lack of associated records, and the design and condition of the property, I do not consider there is sufficient likelihood of bats being present or affected for the Council to require a survey prior to determination. Despite this, the risk remains that bats could make use</p>		

	<p>of the building. Therefore, to reduce the likelihood of harm arising and of an offence being committed, and in the unlikely event that bats are found during demolition, I recommend that a precautionary approach is taken and an informative is added to any permission. Both the Environment Act and planning policy strongly encourage that all development should deliver a biodiversity net gain. However, given the modest scale of this proposal, I consider it unrealistic that suitable measures could be designed that would deliver a meaningful net gain proportionate to its scale and impact. Consequently, I recommend that the delivery of a net gain can be waived in this instance.</p> <p>WHBC Public Health and Protection – If there are plans to install any plant or equipment such as air conditioning for the proposed development, then it must comply with the council’s noise requirements. I will recommend that a condition is attached to any approval. Given the nature of the locality, I recommend the application of an unexpected finds condition, just in case any contaminated land is encountered any stages of the development.</p>
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Relevant Policies

<p><input checked="" type="checkbox"/> NPPF <input checked="" type="checkbox"/> D1 <input checked="" type="checkbox"/> D2 <input type="checkbox"/> GBSP1 <input checked="" type="checkbox"/> GBSP2 <input checked="" type="checkbox"/> M14 <input checked="" type="checkbox"/> Supplementary Design Guidance <input checked="" type="checkbox"/> Supplementary Parking Guidance <input checked="" type="checkbox"/> Interim Policy for car parking and garage sizes Others: SD1, EMP8, R1, R2, R19, R20</p> <p>Welwyn Hatfield Draft Local Plan Submission 2016: SP1, SP4, SP9, SADM2, SADM10, SADM11, SADM12, SADM14, SADM18</p>
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Main Issues

<p>Principle of the Development</p>	<p>The site is located within the Peartree Farm industrial estate, which is located on the north-west side of Peartree Lane. The site is currently occupied by a small timber building which has been used in the past as an office, studio and for storage. The site is close to, but not within, the Welwyn Garden City Employment Area. It is located within close walking distance of the town centre including Welwyn Garden City train station and bus stops. The site additionally benefits from easy access to an extensive network of footways and cycle ways around the town. Policy EMP8 of the district plan says new employment development on such sites outside of employment areas will only be permitted where (i) the development would be of similar scale, (ii) it would not have any adverse effect on the residential amenities of nearby properties and (iii) it would provide adequate parking and access arrangements.</p> <p>Applications have been approved in the past at this site for the erection of a detached two-storey brick building for a B1 use. The references for these applications are:</p> <ul style="list-style-type: none"> • N6/2008/2327/FP - Demolition of existing timber building, erection of one and a half storey brick building for B1 use, to include strip of residential land. • 6/2015/1960/FULL - Demolition of existing timber warehouse building and erection of detached brick built building for B1 use. • 6/2018/3099/FULL - Erection of detached two-storey brick building for B1 use with designated parking spaces for 6 vehicles and secure storage housing for 6 bicycles following demolition of existing timber building.
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	<p>It is therefore important to consider whether or not there have been any material changes in circumstances since the most recent permission that would justify a different decision being made. The main difference between the proposals is that Use Class B1 (Business) was revoked from 1 September 2020 and has now been effectively replaced with the new Class E(g). Class E(g) covers uses which can be carried out in a residential area without detriment to its amenity and lists the following:</p> <ul style="list-style-type: none"> • E(g)(i) Offices to carry out any operational or administrative functions • E(g)(ii) Research and development of products or processes • E(g)(iii) Industrial processes <p>As the E(g) use class would be very similar to the former Class B, and in light of the comments below, it is considered that the proposal continues to be acceptable in this location.</p>
<p>Design (form, size, scale, siting) and Character (appearance within the streetscene)</p>	<p>Policies D1, D2 and GBSP2 of the District Plan 2005 and the Council's SDG are all relevant. These policies are consistent with the design policies contained in the Emerging Local Plan (SP1 and SP9) and are broadly consistent with the NPPF.</p> <p>The existing building is dilapidated, has remained vacant for some time and is not practical for its intended use. The proposed building is the same design as the last approved scheme which would be larger in scale with an increased footprint and height. However, given the buildings nearby it would still be of a scale and design which is compatible with those buildings. Subject to a condition requiring materials samples to be used in the construction of the development, the layout of the site and the design of the proposal would not be out of keeping with the character and appearance of the surrounding area. Therefore, the development would be in accordance with Saved Policies D1 and D2 of the Welwyn Hatfield District Plan 2005 and the Supplementary Design Guidance (2005), Policy SP9 of the Emerging Local Plan and the relevant design Policies of the NPPF.</p>
<p>Impact on neighbours</p>	<p>District Plan Policies R19 and D1 seek to ensure that no new development would adversely affect the amenity of occupants either in terms of any built form or in terms of the operation of any uses from noise and vibration pollution. The SDG supplements Policies R19 and D1. Policy SADM11 and Policy SADM18 of the Draft Local Plan are similar in these aims.</p> <p>The distance from the boundaries with the residential properties would be the same as previously approved and subject to a condition being imposed for the rear rooflights to ensure they are obscure glazed and fixed, there would not be any undue impacts on amenity. The proposed plans indicate a gap of at least 500mm between the rear wall and the neighbouring properties (76 and 78 Peartree Lane), as well as a 2m high brick wall and fences along the boundary with 76 and 78 Peartree Lane. As details of these walls and fences are limited at this stage, a condition will be added requiring further details of the style and materials of any boundary treatments proposed.</p> <p>In terms of noise, the Council's Public Health and Protection team have reviewed the proposal and consider there are no objections subject to a condition which covers any plans to install plant or equipment for the proposed development, to ensure it complies with the council's noise requirements.</p>

	<p>Informatives seeking to reduce noise and dust during the construction phase are also recommended.</p> <p>For the above reasons it is considered there would be an acceptable impact on amenity in accordance with Policies R19 and D1 of the District Plan, the SDG, Policy SADM11 and Policy SADM18 of the Draft Local Plan and the NPPF.</p>
<p>Access, car parking and highway considerations</p>	<p>In terms of parking, paragraph 107 of the NPPF is relevant. Policy M14 of the District Plan and the Parking Standards SPG use maximum standards which are not consistent with the NPPF and are therefore afforded less weight. In light of the above, the Council have produced an Interim Policy for Car Parking Standards that states that parking provision will be assessed on a case by case basis and the existing maximum parking standards within the SPG should be taken as guidance only.</p> <p>6 parking spaces have been proposed and approved in the past. An original plan with 5 spaces which is still shown on plan 8/603/21b is labelled as being superseded by plan 8/603/25a). Whilst this is on the proposed plans, it is labelled as being superseded and these drawings were accepted and approved previously, therefore it is considered it is still acceptable as it is obvious which scheme is proposed. 6 parking spaces were accepted initially on the basis that whilst there was a slight shortfall on the council's standards, the standards were regarded as guidance only and for the proposed use the number of spaces would be acceptable. The County Highway Authority have been consulted and have confirmed that the 6 parking spaces and loading bay would still be acceptable within zone 2. It is also noted that secure cycle storage will be provided for six cycles which is also acceptable. As parking along the access road (Pear Tree Farm) and Pear Tree Lane is restricted by double yellow lines, any overflow parking will not adversely affect the free and safe flow of traffic along these routes.</p> <p>A neighbour commented has suggested two double parking bays are rented from the Council and have been included in the application, therefore the boundaries and leases of these bays clearly need clarification from the Council before any work starts. Parking bays 3, 6 and 7 are marked on submitted drawing 08/603/25a and appear to be within the perimeter of the land which has been applied for as part of the application, as indicated on the submitted site location plan. Certificate A on the application form has also been signed which suggests the applicant is the owner of any part of the land or building to which the application relates. Land to the side of the parking spaces is labelled as 'Council owned and leased parking bays' on the above plan, therefore it is considered any additional parking bays which are leased are on this parcel of land and not within the application site.</p> <p>With regard to highway safety, Policy SADM2 of the Emerging Plan is relevant. Paragraph 111 of the NPPF also sets out that developments should only be refused or prevented on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe. Peartree Farm is a private access road that does not form part of the public highway. It is accessed from Peartree Lane which is an unclassified local access road, limited to 30mph. The Highway Authority have confirmed the number of vehicle trips generated by the proposals is unlikely to significantly exceed seven two-way trips per day which will not have an adverse effect on the highway network.</p>

	<p>For the above reasons the proposed development is still viewed to be acceptable on highways and parking grounds.</p>
<p>Ecology and Biodiversity</p>	<p>The NPPF outlines in paragraph 174 that local planning authorities should 'contribute to and enhance the natural and local environment'. This principle is applied in Policy R11 of the Local Plan and Policy SADM16 of the Emerging Local Plan. The last application at this site imposed a condition for a bat survey. The Hertfordshire Ecology team have reviewed the proposed development and consider that given the location of the site, the lack of associated records, and the design and condition of the existing property, there is insufficient likelihood of bats being present or affected for the Council to require a survey prior to determination. Furthermore, it was noted that it would be unrealistic that suitable measures could be designed that would deliver a meaningful net gain proportionate to the scale and impact of the proposal, therefore the delivery of a net gain can be waived in this instance. Therefore, subject to the recommended informatives, no objections are raised in this regard.</p>
<p>Landscaping Issues</p>	<p>Policy D8 of the District Plan and Policy SADM16 of the Emerging Local Plan are relevant, as well as the provisions of the NPPF. Previous schemes at this site were found acceptable on the basis that the site is currently entirely covered by building and hard-standing, therefore opportunities for enhancing the site would be limited. Some grass has grown since then due to the vacant nature of the site. However, given the constraints of the site, it is considered the previous conditions relating to permeable paving would still be sufficient.</p> <p>The plans also indicate replacement boundary treatments as discussed in the neighbour amenity section above. A condition will be imposed which secures details of the style and design of the hard landscaped boundary treatments.</p>
<p>Any other considerations</p>	<p><u>Lighting</u></p> <p>Policy R20 seeks to minimise light pollution in new developments through the provision of artificial light (e.g. external lighting and floodlighting) and Policy SADM18 is similar in these aims. A condition will be imposed which ensures any details of lighting to be installed will be submitted and approved in writing by the Local Planning Authority prior to the use of the site commencing.</p> <p><u>Contamination</u></p> <p>Policy R2 of the District Plan 2005 and Policy SADM18 of the Emerging Local Plan 2016 are relevant. The Council's Public Health and Protection team have reviewed the proposal and have recommended a condition to cover the event that contamination is found at any time when carrying out the approved development (that was not previously identified), stating that it must be reported in writing immediately to the Local Planning Authority.</p> <p><u>Land ownership and boundaries</u></p> <p>It is unclear where some of the boundaries lie between the application site and the surrounding sites. Whilst this is not a material planning consideration, an informative will be included on the decision notice advising the applicant that the granting of the permission does not convey or imply any consent to build upon or access from any land not within the ownership of the applicant.</p>

	<p><u>Permitted development rights</u></p> <p>Due to the recent changes to the Use Classes Order, the new Class E covers a broader range of uses than previously defined under Class B. In order to ensure that a sufficient level of parking is retained and neighbouring amenity would be preserved, it is considered reasonable and appropriate in the event of an approval to impose a condition restricting the uses of the proposed building to Classes E(g)(i), (ii) and (iii) only to prevent future changes to other uses falling within Class E without full consideration.</p>
<p>Conclusion</p>	
<p>Subject to the suggested conditions the proposed development would be in accordance with the relevant national and local planning policies.</p>	

Conditions:

1. No development above ground level in any phase of the development shall take place until full details of the permeable surface materials for the parking spaces and other associated spaces around the building, together with any associated soakaways, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details and retained thereafter.

REASON: In order to ensure the adequate control of surface water on the site and to prevent surface water runoff in accordance with the objectives of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

2. No development above ground level in any phase of the development shall take place until full details on a suitably scaled plan of any proposed means of enclosure and/or boundary treatments have been submitted and approved in writing by the Local Planning Authority. The development must not be carried out other than in accordance with the approved details.

REASON: In order to protect and enhance the existing visual character of the area and amenity of future occupiers in accordance with Policies GBSP2, D2 and D8 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

3. No development above ground level in any phase of the development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby granted have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented using the approved materials and subsequently, the approved materials shall not be changed.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with the National Planning Policy Framework and Policies D1 and D2 of the Welwyn Hatfield District Plan 2005.

4. No development above ground level in any phase of the development shall take place until full details of any external lighting have been submitted to and approved in writing by the Local Planning Authority. The approved external lighting scheme

must be installed prior to the first occupation of the development and maintained in good working order in perpetuity with the development.

REASON: To protect the living conditions of neighbouring properties in terms of light spill, in accordance with Policies D1 & R20 of the Welwyn Hatfield District Plan 2005; Policies SP9, SADM18 of the Draft Local Plan Proposed Submission August 2016, and the National Planning Policy Framework.

5. 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. An investigation and risk assessment must be undertaken in accordance with the requirements of Part 1, and where remediation is necessary, a remediation scheme must be prepared in accordance with the requirements of Part 1, which is subject to the approval in writing of the Local Planning Authority. Following the 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 Part 2. Parts 1 and 2 are provided below to clarify the references in the above paragraph.

1. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

- 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 and 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, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters 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.

2. Following the 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.

The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The above must be undertaken in accordance with the Environment Agency's 'Land contamination risk management (LCRM)' guidance, available online at: <https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm>.

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 in accordance with Policy R2 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

6. Prior to the first occupation of the development hereby permitted, the applicant shall submit to, for approval in writing by the Local Planning Authority, details relating to a scheme to mitigate the noise from any new plant and equipment. The impact of new plant and equipment should be assessed in accordance with BS4142: 2014+A1:2019. When noise sources show signs of tonality, noise levels are required to be 10dB below background noise level at the nearest receptor location. In instances where the noise source present no tonality, the noise levels are required to be 5dB below the background noise level at the nearest receptor location.

REASON: To protect the residential amenity and living conditions of existing and future occupiers in accordance with Policy R19 of the Welwyn Hatfield District Plan 2005, Policy SADM18 of the Emerging Local Plan 2016 and the National Planning Policy Framework.

7. The areas set aside for car parking shall be laid out, surfaced and marked out in accordance with the details shown on approved plan 08/603/25a prior to the first occupation of the development hereby permitted and shall be retained permanently thereafter for the free parking of vehicles for occupiers of the development permitted and shall not be used for any other purpose.

REASON: To ensure the permanent availability of the parking and manoeuvring areas in the interests of highway safety in accordance with Policy D1, D2 and M14 of the Welwyn Hatfield District Plan 2005; SADM2 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016; and the National Planning Policy Framework.

8. The 6 cycle storage spaces shown on the approved cycle storage details (The bike Storage Company Vertical Bike Hangar Shelter) shall be provided in accordance with the general specification shown on the submitted details and shall be available for use before the building hereby permitted is first occupied.

REASON: To ensure the provision of adequate cycle parking that meets the needs of the residential units and in the interests of encouraging the use of sustainable modes of transport in accordance with Policy D1 and M6 of the District Plan 2005,

Supplementary Planning Guidance Parking Standards 2004 and the National Planning Policy Framework.

9. The first floor roof windows located in the east facing roof slope of the building hereby approved must be obscure-glazed and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and shall be retained in that form thereafter.

REASON: To protect the residential amenity and living conditions of adjoining occupiers in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

10. Notwithstanding the provisions of Article 3 of the Town and Country Planning Use Classes Order 1987, and Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any orders revoking or re-enacting these Orders) this permission shall only permit the use of the building and site for uses within Class E(g) only.

REASON: To enable the Local Planning Authority to fully consider the effects of development normally permitted by these orders, in the interests of ensuring an acceptable level of parking provision and in the interests of preserving the amenity of neighbouring occupiers in accordance with the National Planning Policy Framework and Policies D1, D2 and M14 of the Welwyn Hatfield District Plan 2005.

DRAWING NUMBERS

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

Plan Number	Revision Number	Details	Received Date
8/603/20b		Proposed Elevations and Floor Plans	11 April 2022
8/603/21b		Proposed Elevations and Roof Plan	11 April 2022
Vertical Bike Hanger Shelter		Verticle Hanger Bike Shelter	11 April 2022
8/603/25a		Proposed Roof Plan	17 May 2022

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).

Informatives:

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. The granting of this permission does not convey or imply any consent to build upon or access from any land not within the ownership of the applicant.
3. The applicant is advised to take account the provisions of The Party Wall Act 1996 insofar as the carrying out of development affecting or in close proximity to a shared boundary.
4. Any damage to the grass verges caused by the development/works hereby approved is the responsibility of the applicant and must be re-instated to their original condition, within one month of the completion of the development/works. If damage to the verges are not repaired then the Council and/or Highway Authority will take appropriate enforcement action to remedy any harm caused.
5. 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 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

6. The following advice is offered by the council's Public Health and Protection Team

with regards to noise and dust control during construction on site.

Noise control

1. All works and ancillary operations which 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 Saturdays
and at no time on Sundays and Bank Holidays
2. 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
3. All plant and machinery in use shall be properly silenced and maintained in accordance with the manufacturers' instructions
4. 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.
5. 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.
6. 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.
7. All pile driving shall be carried out by a recognised noise reducing system.
8. Where practical, rotary drills and bursters, actuated by hydraulic or electric power shall be used for excavating hard material
9. In general, equipment for breaking concrete and the like, shall be hydraulically actuated.
10. '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.
11. Any emergency deviation from these conditions shall be notified to the Council without delay
12. 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.
13. Permissible noise levels are not specified at this stage.

Dust control:

1. All efforts shall be made to reduce dust generation to a minimum

2. 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.
3. Water sprays shall be used, as and when necessary, to reduce dust from particularly "dusty" activities or stock piles.
7. Bats and their roosts are protected at all times by law. To reduce the risk of an offence, work should proceed with caution. In the event of bats or evidence of them being found, work must stop immediately, and advice taken on how to proceed lawfully from an appropriately qualified and experienced ecologist or Natural England.

Determined By:

Mr Derek Lawrence
3 August 2022