

To: Mrs Brigid Talbot
Unit 13 Peartree Farm
Hertfordshire
Welwyn Garden City
AL7 3UW

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 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: Mrs Brigid Talbot

Application No: 6/2022/0863/FULL

Date of Approval: 3 August 2022

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: 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

At Location: Unit 13 Peartree Farm Welwyn Garden City AL7 3UW

Applicant: Mrs Brigid Talbot

Application Date: 23 May 2022

In accordance with the conditions listed below: -

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).

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. 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.

Chris Dale

Christopher Dale
Assistant Director (Planning)

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

If you have any concerns or questions then please call us on **020 8207 7456** or email buildingcontrol@hertfordshirebc.co.uk

Hertfordshire Building Control
Hertsmere Civic Offices
Elstree Way
Borehamwood
Hertfordshire
WD6 1WA

020 8207 7456
buildingcontrol@hertfordshirebc.co.uk
www.hertfordshirebc.co.uk



HERTFORDSHIRE BUILDING CONTROL

PROTECTING YOUR INTERESTS BY
ENSURING QUALITY BUILDINGS

020 8207 7456
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. Alternatively, there is a lot of useful advice contained on our website: 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.