

Welwyn Hatfield Borough Council

By email: [REDACTED]

For the attention of Mr Nabeel Kasmani

Our ref: RYP/RUJD/043243.00002

13 February 2023

Dear Mr Kasmani

Campus East Car Park College Way Welwyn Garden City AL8 6DG

We act for [REDACTED] as owner of part of the above site.

6/2022/2801/MAJ

- 1 Our client became aware of this application following a letter dated 5 December 2022, albeit that this was not sent to its registered address (Geneva Place, 2nd Floor, 333 Waterfront Drive, Road Town, Tortola, British Virgin Islands, as stated on the Land Registry title to the relevant part of the Site).
- 2 We note that the Council is the freehold owner of part of the Site. It does not appear to have been notified of the application as owner, according to the Certificate given by your agent. It would therefore be unlawful for the Council to deal any further with the application until this is corrected and revised certificates have been issued.

6/2023/0034/FULL – Enabling Works

- 3 We do not believe that our client was notified of this application before it was submitted (either through the incorrect address used for notice of the application above or to its correct registered address). If so, the Certificate B signed by your agent is materially misleading (and it would be unlawful for the Council to deal any further with the application until this is corrected and revised certificates have been issued).
- 4 We also note that this application is registered as an application for full planning permission but no Planning Statement has been submitted, meaning that there is no analysis of the impact of the loss of the car parking capacity in the context of relevant policies.

Objections

- 5 Our client objects to both applications on the grounds of loss of car parking and failure to assess alternatives for provision of parking within the scheme.

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- 6 In relation to the adequacy of the information provided with the applications:
- (a) We note that the Noise assessment report uploaded to the Council's planning portal relates to the scheme as a whole and provides inadequate assessment of the noise effects of the enabling works or the position expected to result from the CEMP controls. The submitted Noise report does not, for example, recognise that a CEMP has been submitted alongside it (paragraph 5.4). The Council is therefore not in a position to properly consider the application until the Noise assessment is remedied;
 - (b) The proposals are capable of being EIA Development. No environmental information has been provided for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. Nor, as far as we are aware, has any Screening Opinion been issued. In relation to several areas, the Council is not in a position to properly conclude that the proposals will not have significant effects on one or more receptors (having regard to appropriately detailed and specific mitigation measures capable of being secured by condition or obligation);
 - (c) The Technical Note dated 1 February 2023 prepared by Paul Mew Associates raises issues regarding the failure to properly assess the impact of the shortfall of 247 parking spaces in the town centre or consider appropriate alternatives. The Applicant has provided no details of alternative arrangements for parking following the loss of the parking spaces from the proposed development. The Council is therefore not in a position to properly conclude that the proposals will not have significant impacts on parking in the town centre.
- 7 As such, it would be inappropriate for the Council to progress consideration of the scheme until this has been addressed. We invite you to address these issues and keep our client updated.

Please correspond directly with us on this matter.

Yours faithfully

