



To: Mr J Melichar  
39 Moreland Street  
London  
EC1V 8BB

## **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 is payable for each request to discharge conditions.
- For advice on any of these matters, please contact the duty planning 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)



**Notice of Decision**  
**Town and Country Planning Act 1990**  
**Town and Country Planning (General Permitted**  
**Development) (England) Order 2015**  
**Prior Approval Required and Given**

To: Mr J Melichar

Application No: 6/2018/1067/PN11

Application Date: 30 April 2018

Date of Approval: 19 June 2018

**DETERMINATION BY THE LOCAL PLANNING AUTHORITY IN RESPECT TO**  
**PRIOR APPROVAL UNDER SCHEDULE 2, PART 3, CLASS O OF THE TOWN**  
**AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)**  
**(ENGLAND) ORDER 2015**

**Welwyn Hatfield Borough Council hereby confirm that their PRIOR APPROVAL IS REQUIRED AND GIVEN for the proposed development which meets the above requirements of the Town and Country Planning (General Permitted Development) (England) Order 2015 at the address shown, as described by the description, and in accordance with the information that the developer provided to the Local Planning Authority.**

**Development:** Prior approval for change of use from offices B1(a) to dwellinghouses (C3) to include the creation of 18 apartments

**At location:** Fountain House 1-7 Howardsgate Welwyn Garden City AL8 6AL

**Applicant:** Mr P Mallon

To ensure the development complies with the above Order, your attention is directed to conditions within the Order.

1. The proposed modifications and alterations of the premises to provide noise and vibration mitigation stated in the acoustic consultants (AIRO) letter of submission ref: DJB/6982/F dated 31 May 2017 shall be implemented before any flat is occupied. The air conditioning and noise mitigation measures and associated equipment shall thereafter be maintained.

**REASON:** To ensure the impacts of externally generated noise on living conditions of the intended occupiers is minimised and to ensure a high standard of design as required by Policies D1 and D2 of the Welwyn and Hatfield District Plan 2005.

**DRAWING NUMBERS**

2. 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>
A_018	P4	Proposed First Floor Plan	24 April 2018
A_920	P2	Site Plan	24 April 2018
A_015	P2	Existing Second Floor Plan	24 April 2018
A_013	P4	Existing Ground Floor Plan	24 April 2018
A_921	P1	Location Plan	24 April 2018
A_019	P4	Proposed Second Floor Plan	24 April 2018
A_014	P3	Existing First Floor Plan	24 April 2018

REASON: To ensure that the development is carried out in accordance with the approved plans and details.



Colin Haigh  
**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 within 6 months of the date of this notice, whichever period expires earlier. •
- In all other cases, if you want to appeal against your local planning authority's decision then you must do so within 6 months 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.**