

To: Mr T Koursaris  
Alexander Gemini Ltd.  
84 Totteridge Road  
Enfield  
EN3 6NG

## **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: Mr T Koursaris

**Application No:** 6/2018/1996/FULL

**Date of Approval:** 4 January 2019

**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 8 x self contained apartments with lower ground floor car park following demolition of existing dwelling; erection of front boundary wall, gates and railings and side boundary walls and railings

**At Location:** 77 Brookmans Avenue, Brookmans Park, Hatfield, AL9 7QG

**Applicant:** Mr D Hassan

**Application Date:** 12 September 2018

In accordance with the conditions listed below: -

1. Development must not commence until scaled drawings showing existing and proposed ground levels around the apartment building hereby approved, together with the proposed ground floor levels, have been submitted to and agreed in writing by the Local Planning Authority. The development must be carried out in accordance with the agreed details.

REASON: To ensure the apartment building relates appropriately to adjacent buildings and protects the living conditions of neighbouring occupiers, in accordance with Policies D1 and D2 of the Welwyn Hatfield District Plan 2005, Supplementary Design Guidance 2005 (Statement of Council Policy), Policies SP9 and SADM11 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016, and the National Planning Policy Framework 2018.

2. Development must not commence until an updated Bat Mitigation Strategy is submitted to and approved in writing by the Local Planning Authority. The updated Bat Mitigation Strategy must be informed by the results of three dusk emergence / dawn re-entry surveys which must be undertaken during May to September, with at least two surveys between May and August, to determine with confidence whether bats are roosting.

REASON: To ensure the continued ecological functionality of bats and their roosts is maintained in accordance with Policy SADM16 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016 and requirements of the National Planning Policy Framework 2012.

3. No development above ground shall take place until details of the proposed crown roof have been submitted to and approved in writing by the Local Planning Authority. The details, including; a roof plan, elevations and sections, in either 1:50 or 1:100 scale, must clearly show that the flat roof is stepped down and concealed behind the surrounding pitched roof. The pitched roof must use ridge tiles. Subsequently the development must not be carried out other than in accordance with the approved details.

REASON: The proposal contains insufficient information in regards to the detailed design of the roof and this is required in the interests of quality of design and visual amenity in accordance with Policies GBSP2, D1 and D2 of the Welwyn Hatfield District Plan 2005; Supplementary Design Guidance 2005 (Statement of Council Policy); Policy SP9 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016 and; the National Planning Policy Framework 2018.

4. No development above ground level shall take place until samples of the materials to be used in the construction of the external surfaces of the apartment building; bin stores; pergola; and frontage boundary walls, piers, railing and gates, 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 Policies D1 and D2 of the Welwyn Hatfield District Plan 2005, Supplementary Design Guidance 2005 (Statement of Council Policy), Policy SP9 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016, and the National Planning Policy Framework 2018.

5. No development above ground level shall take place until full details on a suitably scaled plan of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. The development must not be carried out other than in accordance with the approved details.

The landscaping details to be submitted shall include:

- (a) means of enclosure and boundary treatments (including locations, height, scale and appearance)
- (b) hard surfacing, other hard landscape features and materials
- (c) existing trees, hedges or other soft features to be retained
- (d) planting plans, including specifications of species, sizes, planting centres, number and percentage mix, and details of seeding or turfing

REASON: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and

environmental impacts of the development hereby permitted in accordance with Policies GBSP2, D2 and D8 of the Welwyn Hatfield District Plan 2005; Policy SP9 and SADM16 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016, and the National Planning Policy Framework 2018.

6. All agreed landscaping comprised in the above details of landscaping must be carried out in the first planting and seeding seasons following the occupation of the first building, the completion of the development, or in agreed phases whichever is the sooner: and any plants which within a period of 5 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; Policy SP9 and SADM16 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016, and the National Planning Policy Framework 2018.

7. A scheme setting out the arrangements for the delivery of accessible housing will be supplied to the council in accordance with the following requirements:
  - a) A schedule of units, together with appropriate plans and drawings, shall be submitted to and be approved by the local planning authority setting out details of the number, layout and location of all units that will comply with Part M4(2) of the Building Regulations 2010. At least 20% of all new dwellings must meet Building Regulations Part M4(2) standards for 'accessible and adaptable dwellings';
  - b) All units specified as M4(2) in the agreed schedule and plans shall be implemented in accordance with that approval and in compliance with the corresponding part of the Building Regulations in that regard.
  - c) The person carrying out the building work must inform the Building Control body which requirements apply.
  - d) Written verification of the completion of all dwellings in accord with part (a) above will be supplied to the local planning authority within 30 days of the practical completion [of the block it forms part of].

REASON: To ensure that suitable housing is provided for households in need of accessible or wheelchair housing in accordance with Policies D1, and H10 of the Welwyn Hatfield District Plan 2005; and Policy SP7 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016.

8. Prior to installation of any external lighting, the applicant must submit to, for approval in writing by the Local Planning Authority, details relating to the external lighting scheme (including vertical lux diagrams which show potential light trespass into windows of nearby residential properties). This scheme must meet the requirements within the Institution of Lighting Professionals guidance notes for the reduction of obtrusive lighting.

REASON: To protect the living conditions of neighbouring residential properties in accordance with Policy D1 and R20 of the Welwyn Hatfield District Plan 2005, Supplementary Design Guidance 2005 (Statement of Council Policy), Policy SADM11 and SADM18 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016, and the National Planning Policy Framework 2018.

9. Prior to occupation of the development hereby approved, the proposed on-site vehicle and cycle parking must be laid out, demarcated, levelled, surfaced and drained, and retained thereafter available for that specific use.

REASON: To ensure the parking areas are implemented and retained for their specific use in the interests of highway safety and parking provision, in accordance with Policy M14 of the Welwyn Hatfield District Plan 2005; Supplementary Planning Guidance – Parking Standards 2004; Interim Policy for Car Parking Standards and Garage Sizes 2014; Policies SADM2 and SADM12 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016, and the National Planning Policy Framework 2018.

10. Any upper floor window located in a wall or roof slope forming a side elevation apartment 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, Supplementary Design Guidance 2005 (Statement of Council Policy), Policy SADM11 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016, and the National Planning Policy Framework 2018.

#### DRAWING NUMBERS

11. 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>
MB-SURV-BA-TS-001	01	Topographical Survey	30 July 2018
SH13	A	Proposed Front Garden	13 December 2018

SH14		Proposed Block Plan (Hard Landscaping)	30 July 2018
SH2		Proposed Ground Floor - Apartments 1, 2, 3, & 4	30 July 2018
SH3		Proposed First Floor - Apartments 5 & 6	30 July 2018
SH4	A	Proposed Second Floor - Apartments 7 & 8	8 November 2018
SH6		Proposed Front Elevation	30 July 2018
SH5		Proposed Roof Plan	30 July 2018
SH7		Proposed Rear Elevation	30 July 2018
SH8		Proposed Right Side Elevation	30 July 2018
SH9		Proposed Left Side Elevation	30 July 2018
SH10		Proposed Ground Floor Plan	30 July 2018
SH11		Proposed Basement Plan	30 July 2018
SH15		Proposed Section A-A	30 July 2018
SH16		Proposed Front Elevation With Front Garden Wall	30 July 2018
SH17		Proposed Street Scene	30 July 2018
SH18		Proposed Roof Section Detail	30 July 2018
SH1		Location & Block Plan As Existing	30 July 2018
SH19		Existing Ground Floor Plan	12 September 2018
SH20		Existing First Floor Plan	12 September 2018
SH21	0	Existing Front Elevation	8 November 2018
SH22	0	Existing Rear Elevation	8 November 2018
SH23	0	Existing Side Elevation	8 November 2018
SH24	0	Existing Side Elevation	8 November 2018
SH27	0	Proposed Refuse Storage Details	13 December 2018
SH25	0	Front Boundary Wall Details	13 December 2018
SH26	0	Pergola Details As Proposed	13 December 2018

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 which may affect the land.



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 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 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.