

To: Miss H Scott
GL Hearn
65 Gresham Street
London
EC2V 7NQ

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: Miss H Scott

Application No: 6/2019/2714/OUTLINE

Date of Approval: 24 August 2022

WELWYN HATFIELD BOROUGH COUNCIL, in pursuance of powers under the above mentioned Act, hereby GRANT to: -

Development: Outline planning application for a hybrid application for demolition of existing hostel, development of a four storey 100 bed YMCA Hostel (All details submitted for determination) and up to 43 residential apartments (All details retained for future determination as reserved matters, except means of access) with associated car parking and landscaping.

At Location: One YMCA, 90 Peartree Lane, Welwyn Garden City AL7 3UL

Applicant: Mr G Foxell

Application Date: 13 November 2019

This planning permission is subject to a Section 106 agreement.

In accordance with the conditions listed below: -

**PRIOR TO COMMENCEMENT CONDITIONS FOR THE ENTIRE
DEVELOPMENT**

1. The development permitted by this planning permission shall be carried out in accordance with the Drainage Strategy Report produced by Pinnacle Consulting Engineers, project number C190906, version 3.3, dated 03 December 2020 and Flood Risk Assessment produced by Pinnacle Consulting Engineers, project number C190906, version 2.0, dated 3 June 2020 and the following mitigation measures:
 1. Provision of drainage strategy based on infiltration (for catchments A and C) and discharge into Thames sewer (Catchment B).
 2. Limiting the surface water run-off rates to a maximum of 5l/s for all rainfall events up to and including the 1 in 100 year + climate change event with discharge into the Thames surface Water sewer.
 3. Provide attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.
 4. Implement drainage strategy utilising lined permeable paving with sub-base and attenuation tanks
 5. Provision of a filter drain to manage exiting surface water flood risk

REASON: To protect the surrounding environment from flooding in accordance with Policies R7 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

2. Development must be carried out in accordance with the submitted Arboricultural Implications Assessment and Method Statement (BMD report BMD.19.048.RP.902.A). The removal of trees identified within the Arboricultural Implications Assessment and Method Statement must be soft felled under the supervision of an appropriately qualified ecologist in line with Bat Conservation Trust best practice guidelines.

REASON: To ensure the satisfactory protection of retained trees, shrubs and hedgerows during the construction period in the interest of visual amenity in accordance with Policies R11, R17 and D8 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

3. No development shall take place on the application site as identified in drawing numbered 8057 / P010 until an Archaeological Written Scheme of Investigation is submitted to and approved in writing by the Local Planning Authority. The scheme shall include an assessment of archaeological significance and research questions; and:

1. The programme and methodology of site investigation and recording as suggested by the evaluation;
2. The programme for post investigation assessment;
3. Provision to be made for analysis of the site investigation and recording;
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation;
5. Provision to be made for archive deposition of the analysis and records of the site investigation;
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.

The development shall not be carried out other than in accordance with the approved programme.

Prior to occupation the site investigation and post investigation assessment must have been completed in accordance with the programme set out in the Written Scheme of Investigation approved and provision should have been made for analysis and publication where appropriate.

REASON: To enable the inspection of the site by qualified persons for the investigation of archaeological remains in accordance with a written scheme of investigation in accordance with the National Planning Policy Framework and Policy R29 of the Welwyn Hatfield District Plan 2005.

4. 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 within 7 days to the Local Planning Authority and once the Local

Planning Authority has identified the part of the site affected by the unexpected contamination, development must be halted on that part of the site.

Before development recommences on the part of the site where contamination is present a scheme outlining appropriate measures to prevent the pollution of the water environment, to safeguard the health of intended site users, and to ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation and approved conclusions shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter the development shall not be implemented otherwise than in accordance with the approved remediation scheme.

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.

NO DEVELOPMENT OTHER THAN DEMOLITION FOR THE ENTIRE DEVELOPMENT

5. No development other than demolition, site clearance, or remediation works in respect of land contamination shall take place until the final design of the drainage scheme is completed and sent to the Local Planning Authority for approval. The surface water drainage system will be based on the submitted the Drainage Strategy Report produced by Pinnacle Consulting Engineers, project number C190906, version 3.3, dated 03 December 2020 and Flood Risk Assessment produced by Pinnacle Consulting Engineers, project number C190906, version 2.0, dated 3 June 2020. The scheme shall also include:
 1. Detailed infiltration testing in accordance with BRE Digest 365 at the proposed depth and location of the proposed SuDS feature
 2. Provision of additional ground investigations to assess the potential for solution features.
 3. Groundwater monitoring to be carried out following any ground remediation works to determine the level of groundwater. If the site is found to be impacted by groundwater, an assessment of this flood risk and its mitigation should be provided. Details on how the site drainage features will be secured against groundwater should also be provided.
 4. A minimum of 1m buffer zone needs to be provided between a bottom of any infiltration feature and the existing groundwater levels on the proposed development site.
 5. Detailed engineered drawings of the proposed SuDS features including their location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the

scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance for climate change event, with a supporting contributing area plan.

6. Demonstrate appropriate SuDS management and treatment for the entire site including the access road. To include exploration of source control measures and to include above ground features such as permeable paving.

7. Provision of half drain down times within 24 hours.

8. Exceedance plan for events greater than the 1 in 100 year plus 40% for climate change event.

REASON: To protect the surrounding environment from flooding in accordance with Policies R7 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

PRIOR TO OCCUPATION OF THE ENTIRE DEVELOPMENT

6. No part of the development hereby permitted shall be occupied until the vehicular accesses (indicated for improvement on drawing number 8057 P101 Proposed Site Layout) is upgraded to include tactile paving across the access on Peartree Farm and resurfacing of the bell mouth with Peartree Lane.

REASON: To ensure suitable, safe and satisfactory planning and development of the site upon the local highway network in accordance with Policies D1 and M1 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

POST DEVELOPMENT FOR THE ENTIRE DEVELOPMENT

7. No external lighting shall be installed without the prior agreement in writing of the Local Planning Authority. This scheme must meet the requirements within the Institution of Lighting Professionals guidance notes for the reduction of obtrusive lighting.

The development shall not be carried out other than in accordance with the approved details and should be retained thereafter.

REASON: In the interests of the visual amenities of the area in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005.

8. Upon completion of the drainage works for the site in accordance with the timing / phasing arrangements, the following must be submitted:
1. Provision of a verification report (appended with substantiating evidence demonstrating the approved construction details and specifications have been implemented in accordance with the surface water drainage scheme). The verification report shall include photographs of excavations and soil profiles/horizons, installation of any surface water structure (during construction and final make up) and the control mechanism.
 2. Provision of a complete set of as built drawings for site drainage.

3. A management and maintenance plan for the SuDS features and drainage network.
4. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

REASON: To protect the surrounding environment from flooding in accordance with Policies R7 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

CONDITIONS FOR THE PROPOSED HOSTEL

PRIOR TO COMMENCEMENT FOR THE PROPOSED HOSTEL

9. The building for the hostel hereby permitted shall not be carried out other than in accordance with the approved Energy Strategy Report carried out by Stroma Built Environment, dated Oct 2019.

REASON: To ensure that the development contributes towards Sustainable Development and Energy efficiency in accordance with Policy R3 of the Welwyn Hatfield District Plan and the National Planning Policy Framework.

10. No development of the hostel shall commence including demolition, until a Construction Management Plan (or Construction Method Statement) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Management Plan / Statement shall include details of:

- a. Construction vehicle numbers, type, routing;
 - b. Access arrangements to the site;
 - c. Traffic management requirements;
 - d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
 - e. Siting and details of wheel washing facilities;
 - f. Cleaning of site entrances, site tracks and the adjacent public highway;
 - g. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
 - h. Provision of sufficient on-site parking prior to commencement of construction activities;
 - j. where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements.
- The development shall be carried out in accordance with the approved Construction Traffic Management Plan.

REASON: To ensure satisfactory provision to protect the residential amenity of adjoining occupiers and highway safety in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

PRIOR TO ANY ABOVE GROUND DEVELOPMENT FOR THE PROPOSED HOSTEL

11. 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 hostel building hereby granted have been submitted to and approved in writing by the Local Planning Authority. The development must 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 Policy D1 of the Welwyn Hatfield District Plan 2005.

12. Prior to any above ground development of the hostel a scheme of noise protection measures to protect future occupiers of the development from noise due to traffic and the existing and proposed commercial/industrial businesses in the vicinity, shall be submitted to the Local Planning Authority for its written approval. The approved noise protection measures scheme shall be implemented before any part of the accommodation hereby approved is occupied and retained thereafter.

For traffic noise the scheme shall ensure that indoor ambient noise levels in living rooms and bedrooms meet the standards within BS8233:2014.

For commercial/industrial noise the scheme shall ensure the indoor ambient noise levels in living rooms and bedrooms are 10dB below the standards within BS 8233:2014 and L_{Amax} levels are not to exceed 40dB internally with windows closed.

If opening windows raises the noise levels above those listed above, then mechanical ventilation will need to be installed, with ventilation rates required to meet those found within The Noise Insulation Regulations 1975.

Alternative methods and rates can be considered, however, evidence that overheating will not occur will need to be provided in the form of a SAP assessment conducted with windows closed and the ventilation rate for the system being substituted for those within Appendix P. Outdoor amenity areas will need to meet the 55dB WHO Community Noise Guideline Level.

REASON: To protect the occupants of nearby residential properties from noise disturbance in accordance with the requirements of Policies D1 and R19 of the Welwyn Hatfield District Plan 2005.

13. Prior to any above ground development of the hostel details of a landscape plan, on a suitably scaled plan of both hard and soft landscape, works must be 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.

The landscaping details to be submitted shall include:

- (a) means of enclosure and boundary treatments
- (b) hard surfacing, other hard landscape features and materials
- (c) planting plans, including specifications of species, sizes, planting centres, number and percentage mix, and details of seeding or turfing
- (d) details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife
- (e) management and maintenance details

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 D1, D2 and D8 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

NO DEVELOPMENT OF THE PROPOSED HOSTEL OTHER THAN DEMOLITION

14. No development of the hostel other than its demolition shall commence until a Landscape and Biodiversity Management Plan is submitted to and approved in writing by the Local Planning Authority. The Landscape and Biodiversity Management Plan must refer to the Ecological Report submitted as part of this application and must also include details identifying wildlife enhancements marked on a biodiversity plan, and details of measures to protect and enhance existing flora, fauna and habitats within the development site. These enhancements must mitigate the loss of biodiversity on the site and enhance the visual impact of the development hereby approved. The Landscape and Biodiversity Management Plan shall not be carried out other than in accordance with the approved details and retained thereafter.

REASON: To ensure the landscape, habitats and species are safeguarded and where appropriate enhanced in accordance with Policies D8, R11 and R28 of the Welwyn Hatfield District Plan; and the National Planning Policy Framework and the requirements of the Conservation of Habitats and Species Regulations 2010.

PRIOR TO OCCUPATION OF THE PROPOSED HOSTEL

15. No part of the hostel development hereby permitted shall be occupied prior to the implementation of the approved Framework Travel Plan dated October 2019.

Those parts, excluding the following which need to be addressed:

1. In general, a suitable location and set of proposed Travel Plan measures to encourage sustainable travel from the development;

2. Travel Plan Coordinator (TPC) needs to be in place ahead of first occupation;
 3. More information on the TPC's duties, background, and frequency on site will be needed;
 4. Bi-annual survey of SAMS/TRICS preferred as well or instead of.
- After occupation the approved Travel Plan identified therein shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied.

REASON: To ensure suitable, safe and satisfactory planning and development of the site upon the local highway network and provide a high standard of facilities for future and existing occupants in accordance with Policies D1 and M1 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

16. No part of the hostel development hereby permitted shall be occupied until the bin store hereby approved is constructed, equipped and made available for use and retained in that form thereafter.

REASON: To ensure a satisfactory standard of refuse and recycling provision and to protect the residential amenity of adjoining and future occupiers in accordance with Policies R5 and D1 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework

17. No part of the hostel development hereby permitted shall be occupied until details of any air ventilation, extraction and odour control systems have been submitted to and approved in writing by the Local Planning Authority. Such details must include the height, position, design and materials of any chimney or extraction vent to be provided in connection with the development. The proposed system will need to adhere to the Defra guidance on the Control of Odour and Noise from Commercial Kitchen Extract Systems.

No part of the development shall be occupied until the details hereby approved have been constructed, equipped and made for use and retained in that form thereafter.

REASON: To protect the occupants of nearby residential properties from noise disturbance in accordance with the requirements of Policies D1 and R19 of the Welwyn Hatfield District Plan 2005.

18. No part of the hostel development hereby permitted shall be occupied until details of the siting, type and specification of Electric Vehicle Charging Points (EVCPs), the energy sources and the strategy/management plan for supply and maintenance of the EVCPs shall be submitted to and approved in writing by the Local Planning Authority.

Prior to occupation all EVCPs shall be installed in accordance with the approved details prior to occupation of each of the units and permanently maintained and retained thereafter.

REASON: To ensure the development is energy efficient and sustainable in accordance with Policies SD1, R3 and R4 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

19. No part of the hostel hereby permitted shall be occupied until the cycle parking provision for the hostel has been constructed, equipped and made available in accordance with the drawing numbered 8057 / P118 Rev B and retained in that form thereafter.

REASON: In order to ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance Policy M6 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

POST DEVELOPMENT FOR THE PROPOSED HOSTEL DEVELOPMENT

20. There shall be no deliveries to or from the hostel premises hereby permitted outside the hours of 07:00 – 19:00 Mondays to Saturdays, nor at any time on Sundays, Bank or Public Holidays unless an individual delivery plan serving the hostel unit has first been submitted to and approved in writing by the Local Planning Authority. Deliveries to and from that business unit shall thereafter adhere to the times specifically agreed for that business premise.

REASON: In the interests of the visual amenities of the area in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005.

CONDITIONS FOR THE PROPOSED RESIDENTIAL APARTMENTS

21. Details of the appearance, landscaping, layout, and scale, (hereinafter called, the reserved matters) shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

REASON: The outline application as submitted does not give particulars sufficient for consideration of these reserved matters.

22. Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

REASON: In order to comply with Section 92 of the Town and Country Planning Act (As amended).

23. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

REASON: In order to comply with Section 92 of the Town and Country Planning Act (As amended).

24. Any development carried out under this permission, hereby approved, shall not exceed the maximum height set out in the drawing numbered 8057 / P121 Rev C titled Residential Indicative Streetscene & Elevation.

REASON: To ensure that the development and associated mitigation measures takes place in accordance with the principles, parameters and assessment contained within the Application Documentation.

PRE-COMMENCEMENT CONDITIONS FOR THE RESIDENTIAL APARTMENTS

25. No development of the residential apartment shall commence including demolition, until a Construction Management Plan (or Construction Method Statement) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Management Plan / Statement shall include details of:
- a. Access arrangements to the site;
 - b. Traffic management requirements;
 - c. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
 - d. Siting and details of wheel washing facilities;
 - e. Cleaning of site entrances, site tracks and the adjacent public highway;
 - f. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
 - g. Provision of sufficient on-site parking prior to commencement of construction activities;
 - h. where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements.

The development shall be carried out in accordance with the approved Construction Traffic Management Plan.

REASON: To ensure satisfactory provision to protect the residential amenity of adjoining occupiers and highway safety in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

PRIOR TO ANY ABOVE GROUND DEVELOPMENT OF THE PROPOSED RESIDENTIAL APARTMENTS

26. Prior to any development of the residential apartments above ground level a scheme setting out the arrangements for the delivery of accessible housing must be submitted to and approved in writing to the Local Planning Authority in accordance with the following requirement:

a) A schedule of at least 20% of residential buildings, together with appropriate plans and drawings setting out details of the number, layout and location of all units that will comply, shall be submitted to and be approved by the Local Planning Authority, with Part M4(2) of the Building Regulations 2010.

b) At least 20% of the apartments must meet Building Regulations Part M4(2) standards for 'accessible and adaptable dwellings' the delivery of which should be distributed across market and affordable tenures.

c) All units specified as M4(2) in the agreed schedule and plans shall be implemented in accordance with that approval.

REASON: To ensure that suitable housing is provided for households in need of accessible in accordance with Policies D1 and H10 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

PRIOR TO OCCUPATION OF THE PROPOSED RESIDENTIAL APARTMENTS

27. No part of the residential apartment development hereby permitted shall be occupied prior to the implementation of the approved Framework Travel Plan dated October 2019. Those parts, excluding the following which need to be addressed:

1. In general, a suitable location and set of proposed Travel Plan measures to encourage sustainable travel from the development;
2. Travel Plan Coordinator (TPC) needs to be in place ahead of first occupation;
3. More information on the TPC's duties, background, and frequency on site will be needed;
4. Bi-annual survey SAMS/TRICS preferred as well or instead of.

After occupation the approved Travel Plan identified therein shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied.

REASON: To ensure suitable, safe and satisfactory planning and development of the site upon the local highway network and provide a high standard of facilities for future and existing occupants in accordance with Policies D1 and M1 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

28. No part of the residential apartment development hereby permitted shall be occupied until the works to provide kessel kerbs at the bus stops on Mill Green Lane, have been submitted and approved by the Local Planning Authority.

The works to the kessel kerbs at the bus stops on Mill Green Lane shall be provided in accordance with the approved schemes prior to occupation of the residential apartment development. The development thereafter shall not be implemented other than in accordance with the approved works to the kessel kerbs unless otherwise submitted and agreed in writing by the Local Planning Authority.

REASON: To ensure suitable, safe and satisfactory planning and development of the site upon the local highway network and provide a high standard of facilities for future and existing occupants in accordance with Policies D1 and M1 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

PRIOR TO COMMENCEMENT CONDITIONS FOR THE ENTIRE DEVELOPMENT

29. The development permitted by this planning permission shall be carried out in accordance with the Drainage Strategy Report produced by Pinnacle Consulting Engineers, project number C190906, version 3.3, dated 03 December 2020 and Flood Risk Assessment produced by Pinnacle Consulting Engineers, project number C190906, version 2.0, dated 3 June 2020 and the following mitigation measures:

1. Provision of drainage strategy based on infiltration (for catchments A and C) and discharge into Thames sewer (Catchment B).
2. Limiting the surface water run-off rates to a maximum of 5l/s for all rainfall events up to and including the 1 in 100 year + climate change event with discharge into the Thames surface Water sewer.
3. Provide attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.
4. Implement drainage strategy utilising lined permeable paving with sub-base and attenuation tanks
5. Provision of a filter drain to manage exiting surface water flood risk

REASON: To protect the surrounding environment from flooding in accordance with Policies R7 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework 2019.

30. Development must be carried out in accordance with the submitted Arboricultural Implications Assessment and Method Statement (BMD report BMD.19.048.RP.902.A). The removal of trees identified within the Arboricultural Implications Assessment and Method Statement must be soft felled under the supervision of an appropriately qualified ecologist in line with Bat Conservation Trust best practice guidelines.

REASON: To ensure the satisfactory protection of retained trees, shrubs and hedgerows during the construction period in the interest of visual amenity in accordance with Policies R11, R17 and D8 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework 2019.

31. No development shall take place on the application site as identified in drawing numbered 8057 / P010 until an Archaeological Written Scheme of Investigation is submitted to and approved in writing by the Local Planning Authority. The scheme shall include an assessment of archaeological significance and research questions; and:
1. The programme and methodology of site investigation and recording as suggested by the evaluation;
 2. The programme for post investigation assessment;
 3. Provision to be made for analysis of the site investigation and recording;
 4. Provision to be made for publication and dissemination of the analysis and records of the site investigation;
 5. Provision to be made for archive deposition of the analysis and records of the site investigation;
 6. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.

The development shall not be carried out other than in accordance with the approved programme.

Prior to occupation the site investigation and post investigation assessment must have been completed in accordance with the programme set out in the Written Scheme of Investigation approved and provision should have been made for analysis and publication where appropriate.

REASON: To enable the inspection of the site by qualified persons for the investigation of archaeological remains in accordance with a written scheme of investigation in accordance with the National Planning Policy Framework and Policy R29 of the Welwyn Hatfield District Plan 2005.

32. 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 within 7 days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination, development must be halted on that part of the site.

Before development recommences on the part of the site where contamination is present a scheme outlining appropriate measures to prevent the pollution of the water environment, to safeguard the health of intended site users, and to ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation and approved conclusions shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter the development shall not be implemented otherwise than in accordance with the approved remediation scheme.

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.

NO DEVELOPMENT OTHER THAN DEMOLITION FOR THE ENTIRE DEVELOPMENT

33. No development other than demolition, site clearance, or remediation works in respect of land contamination shall take place until the final design of the drainage scheme is completed and sent to the Local Planning Authority for approval. The surface water drainage system will be based on the submitted the Drainage Strategy Report produced by Pinnacle Consulting Engineers, project number C190906, version 3.3, dated 03 December 2020 and Flood Risk Assessment produced by Pinnacle Consulting Engineers, project number C190906, version 2.0, dated 3 June 2020. The scheme shall also include:
1. Detailed infiltration testing in accordance with BRE Digest 365 at the proposed depth and location of the proposed SuDS feature
 2. Provision of additional ground investigations to assess the potential for solution features.
 3. Groundwater monitoring to be carried out following any ground remediation works to determine the level of groundwater. If the site is found to be impacted by groundwater, an assessment of this flood risk and its mitigation should be provided. Details on how the site drainage features will be secured against groundwater should also be provided.
 4. A minimum of 1m buffer zone needs to be provided between a bottom of any infiltration feature and the existing groundwater levels on the proposed development site.
 5. Detailed engineered drawings of the proposed SuDS features including their location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance for climate change event, with a supporting contributing area plan.
 6. Demonstrate appropriate SuDS management and treatment for the entire site including the access road. To include exploration of source control measures and to include above ground features such as permeable paving.
 7. Provision of half drain down times within 24 hours.
 8. Exceedance plan for events greater than the 1 in 100 year plus 40% for climate change event.

REASON: To protect the surrounding environment from flooding in accordance with Policies R7 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework 2019.

PRIOR TO OCCUPATION OF THE ENTIRE DEVELOPMENT

34. No part of the development hereby permitted shall be occupied until the vehicular accesses (indicated for improvement on drawing number 8057 P101 Proposed Site Layout) is upgraded to include tactile paving across the access on Peartree Farm and resurfacing of the bell mouth with Peartree Lane.

REASON: To ensure suitable, safe and satisfactory planning and development of the site upon the local highway network in accordance with Policies D1 and M1 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework 2019.

POST DEVELOPMENT FOR THE ENTIRE DEVELOPMENT

35. No external lighting shall be installed without the prior agreement in writing of the Local Planning Authority. This scheme must meet the requirements within the Institution of Lighting Professionals guidance notes for the reduction of obtrusive lighting.

The development shall not be carried out other than in accordance with the approved details and should be retained thereafter.

REASON: In the interests of the visual amenities of the area in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005.

36. Upon completion of the drainage works for the site in accordance with the timing / phasing arrangements, the following must be submitted:
1. Provision of a verification report (appended with substantiating evidence demonstrating the approved construction details and specifications have been implemented in accordance with the surface water drainage scheme). The verification report shall include photographs of excavations and soil profiles/horizons, installation of any surface water structure (during construction and final make up) and the control mechanism.
 2. Provision of a complete set of as built drawings for site drainage.
 3. A management and maintenance plan for the SuDS features and drainage network.
 4. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

REASON: To protect the surrounding environment from flooding in accordance with Policies R7 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework 2019.

CONDITIONS FOR THE PROPOSED HOSTEL

PRIOR TO COMMENCEMENT FOR THE PROPOSED HOSTEL

37. The building for the hostel hereby permitted shall not be carried out other than in accordance with the approved Energy Strategy Report carried out by Stroma Built Environment, dated Oct 2019.

REASON: To ensure that the development contributes towards Sustainable Development and Energy efficiency in accordance with Policy R3 of the Welwyn Hatfield District Plan and the National Planning Policy Framework 2019.

38. No development of the hostel shall commence including demolition, until a Construction Management Plan (or Construction Method Statement) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Management Plan / Statement shall include details of:

- a. Construction vehicle numbers, type, routing;
 - b. Access arrangements to the site;
 - c. Traffic management requirements;
 - d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
 - e. Siting and details of wheel washing facilities;
 - f. Cleaning of site entrances, site tracks and the adjacent public highway;
 - g. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
 - h. Provision of sufficient on-site parking prior to commencement of construction activities;
 - j. where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements.
- The development shall be carried out in accordance with the approved Construction Traffic Management Plan.

REASON: To ensure satisfactory provision to protect the residential amenity of adjoining occupiers and highway safety in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework 2019.

PRIOR TO ANY ABOVE GROUND DEVELOPMENT FOR THE PROPOSED HOSTEL

39. 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 hostel building hereby granted have been submitted to and approved in writing by the Local Planning Authority. The development must 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 Policy D1 of the Welwyn Hatfield District Plan 2005.

40. Prior to any above ground development of the hostel a scheme of noise protection measures to protect future occupiers of the development from noise due to traffic and the existing and proposed commercial/industrial businesses in the vicinity, shall be submitted to the Local Planning Authority for its written approval. The approved noise protection measures scheme shall be implemented before any part of the accommodation hereby approved is occupied and retained thereafter.

For traffic noise the scheme shall ensure that indoor ambient noise levels in living rooms and bedrooms meet the standards within BS8233:2014.

For commercial/industrial noise the scheme shall ensure the indoor ambient noise levels in living rooms and bedrooms are 10dB below the standards within BS 8233:2014 and LAmax levels are not to exceed 40dB internally with windows closed.

If opening windows raises the noise levels above those listed above, then mechanical ventilation will need to be installed, with ventilation rates required to meet those found within The Noise Insulation Regulations 1975.

Alternative methods and rates can be considered, however, evidence that overheating will not occur will need to be provided in the form of a SAP assessment conducted with windows closed and the ventilation rate for the system being substituted for those within Appendix P. Outdoor amenity areas will need to meet the 55dB WHO Community Noise Guideline Level.

REASON: To protect the occupants of nearby residential properties from noise disturbance in accordance with the requirements of Policies D1 and R19 of the Welwyn Hatfield District Plan 2005.

41. Prior to any above ground development of the hostel details of a landscape plan, on a suitably scaled plan of both hard and soft landscape, works must be 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.

The landscaping details to be submitted shall include:

- (a) means of enclosure and boundary treatments
- (b) hard surfacing, other hard landscape features and materials

- (c) planting plans, including specifications of species, sizes, planting centres, number and percentage mix, and details of seeding or turfing
- (d) details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife
- (e) management and maintenance details

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 D1, D2 and D8 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework 2019.

NO DEVELOPMENT OF THE PROPOSED HOSTEL OTHER THAN DEMOLITION

42. No development of the hostel other than its demolition shall commence until a Landscape and Biodiversity Management Plan is submitted to and approved in writing by the Local Planning Authority. The Landscape and Biodiversity Management Plan must refer to the Ecological Report submitted as part of this application and must also include details identifying wildlife enhancements marked on a biodiversity plan, and details of measures to protect and enhance existing flora, fauna and habitats within the development site. These enhancements must mitigate the loss of biodiversity on the site and enhance the visual impact of the development hereby approved. The Landscape and Biodiversity Management Plan shall not be carried out other than in accordance with the approved details and retained thereafter.

REASON: To ensure the landscape, habitats and species are safeguarded and where appropriate enhanced in accordance with Policies D8, R11 and R28 of the Welwyn Hatfield District Plan; and the National Planning Policy Framework 2019 and the requirements of the Conservation of Habitats and Species Regulations 2010.

PRIOR TO OCCUPATION OF THE PROPOSED HOSTEL

43. No part of the hostel development hereby permitted shall be occupied prior to the implementation of the approved Framework Travel Plan dated October 2019.

Those parts, excluding the following which need to be addressed:

1. In general, a suitable location and set of proposed Travel Plan measures to encourage sustainable travel from the development;
 2. Travel Plan Coordinator (TPC) needs to be in place ahead of first occupation;
 3. More information on the TPC's duties, background, and frequency on site will be needed;
 4. Bi-annual survey of SAMS/TRICS preferred as well or instead of.
- After occupation the approved Travel Plan identified therein shall be implemented in accordance with the timetable contained therein and shall

continue to be implemented as long as any part of the development is occupied.

REASON: To ensure suitable, safe and satisfactory planning and development of the site upon the local highway network and provide a high standard of facilities for future and existing occupants in accordance with Policies D1 and M1 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework 2019.

44. No part of the hostel development hereby permitted shall be occupied until the bin store hereby approved is constructed, equipped and made available for use and retained in that form thereafter.

REASON: To ensure a satisfactory standard of refuse and recycling provision and to protect the residential amenity of adjoining and future occupiers in accordance with Policies R5 and D1 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework

45. No part of the hostel development hereby permitted shall be occupied until details of any air ventilation, extraction and odour control systems have been submitted to and approved in writing by the Local Planning Authority. Such details must include the height, position, design and materials of any chimney or extraction vent to be provided in connection with the development. The proposed system will need to adhere to the Defra guidance on the Control of Odour and Noise from Commercial Kitchen Extract Systems.

No part of the development shall be occupied until the details hereby approved have been constructed, equipped and made for use and retained in that form thereafter.

REASON: To protect the occupants of nearby residential properties from noise disturbance in accordance with the requirements of Policies D1 and R19 of the Welwyn Hatfield District Plan 2005.

46. No part of the hostel development hereby permitted shall be occupied until details of the siting, type and specification of Electric Vehicle Charging Points (EVCPs), the energy sources and the strategy/management plan for supply and maintenance of the EVCPs shall be submitted to and approved in writing by the Local Planning Authority.

Prior to occupation all EVCPs shall be installed in accordance with the approved details prior to occupation of each of the units and permanently maintained and retained thereafter.

REASON: To ensure the development is energy efficient and sustainable in accordance with Policies SD1, R3 and R4 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework 2019.

47. No part of the hostel hereby permitted shall be occupied until the cycle parking provision for the hostel has been constructed, equipped and made available in accordance with the drawing numbered 8057 / P118 Rev B and retained in that form thereafter.

REASON: In order to ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance Policy M6 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

POST DEVELOPMENT FOR THE PROPOSED HOSTEL DEVELOPMENT

48. There shall be no deliveries to or from the hostel premises hereby permitted outside the hours of 07:00 – 19:00 Mondays to Saturdays, nor at any time on Sundays, Bank or Public Holidays unless an individual delivery plan serving the hostel unit has first been submitted to and approved in writing by the Local Planning Authority. Deliveries to and from that business unit shall thereafter adhere to the times specifically agreed for that business premise.

REASON: In the interests of the visual amenities of the area in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005.

CONDITIONS FOR THE PROPOSED RESIDENTIAL APARTMENTS

49. Details of the appearance, landscaping, layout, and scale, (hereinafter called, the reserved matters) shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

REASON: The outline application as submitted does not give particulars sufficient for consideration of these reserved matters.

50. Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

REASON: In order to comply with Section 92 of the Town and Country Planning Act (As amended).

51. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

REASON: In order to comply with Section 92 of the Town and Country Planning Act (As amended).

52. Any development carried out under this permission, hereby approved, shall not exceed the maximum height set out in the drawing numbered 8057 / P121 Rev C titled Residential Indicative Streetscene & Elevation.

REASON: To ensure that the development and associated mitigation measures takes place in accordance with the principles, parameters and assessment contained within the Application Documentation.

PRE-COMMENCEMENT CONDITIONS FOR THE RESIDENTIAL APARTMENTS

53. No development of the residential apartment shall commence including demolition, until a Construction Management Plan (or Construction Method Statement) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Management Plan / Statement shall include details of:
- a. Access arrangements to the site;
 - b. Traffic management requirements;
 - c. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
 - d. Siting and details of wheel washing facilities;
 - e. Cleaning of site entrances, site tracks and the adjacent public highway;
 - f. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
 - g. Provision of sufficient on-site parking prior to commencement of construction activities;
 - h. where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements.

The development shall be carried out in accordance with the approved Construction Traffic Management Plan.

REASON: To ensure satisfactory provision to protect the residential amenity of adjoining occupiers and highway safety in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework 2019.

PRIOR TO ANY ABOVE GROUND DEVELOPMENT OF THE PROPOSED RESIDENTIAL APARTMENTS

54. Prior to any development of the residential apartments above ground level a scheme setting out the arrangements for the delivery of accessible housing must be submitted to and approved in writing to the Local Planning Authority in accordance with the following requirement:
- a) A schedule of at least 20% of residential buildings, together with appropriate plans and drawings setting out details of the number, layout and location of all units that will comply, shall be submitted to and be approved by the Local Planning Authority, with Part M4(2) of the Building Regulations 2010.

b) At least 20% of the apartments must meet Building Regulations Part M4(2) standards for 'accessible and adaptable dwellings' the delivery of which should be distributed across market and affordable tenures.

c) All units specified as M4(2) in the agreed schedule and plans shall be implemented in accordance with that approval.

REASON: To ensure that suitable housing is provided for households in need of accessible in accordance with Policies D1 and H10 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

PRIOR TO OCCUPATION OF THE PROPOSED RESIDENTIAL APARTMENTS

55. No part of the residential apartment development hereby permitted shall be occupied prior to the implementation of the approved Framework Travel Plan dated October 2019. Those parts, excluding the following which need to be addressed:
1. In general, a suitable location and set of proposed Travel Plan measures to encourage sustainable travel from the development;
 2. Travel Plan Coordinator (TPC) needs to be in place ahead of first occupation;
 3. More information on the TPC's duties, background, and frequency on site will be needed;
 4. Bi-annual survey SAMS/TRICS preferred as well or instead of.

After occupation the approved Travel Plan identified therein shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied.

REASON: To ensure suitable, safe and satisfactory planning and development of the site upon the local highway network and provide a high standard of facilities for future and existing occupants in accordance with Policies D1 and M1 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework 2019.

56. No part of the residential apartment development hereby permitted shall be occupied until the works to provide kessel kerbs at the bus stops on Mill Green Lane, have been submitted and approved by the Local Planning Authority.

The works to the kessel kerbs at the bus stops on Mill Green Lane shall be provided in accordance with the approved schemes prior to occupation of the residential apartment development. The development thereafter shall not be implemented other than in accordance with the approved works to the kessel kerbs unless otherwise submitted and agreed in writing by the Local Planning Authority.

REASON: To ensure suitable, safe and satisfactory planning and development of the site upon the local highway network and provide a high standard of facilities for future and existing occupants in accordance with Policies D1 and M1 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework 2019.

DRAWING NUMBERS

57. 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 |
|------------------------|------------------------|--|----------------------|
| 8057 / P101 | B | Proposed Site Layout | 29 September 2020 |
| SP07 | A | 1903-19 SP06 - 12m refuse vehicle.pdf | 26 November 2020 |
| 8057 / P118 | B | Proposed Cycle Store Details - Plan and Elevations | 19 January 2021 |
| 8057 / P100 | | Site Boundary Plan | 28 October 2019 |
| 8057 / P011 | | Existing Plans | 28 October 2019 |
| 8057 / P113 | | Proposed Hostel Roof Plan | 28 October 2019 |
| 8057 / P010 | | Existing Site Plan | 28 October 2019 |
| 8057 / P111 | | Proposed Hostel First Floor Plan | 28 October 2019 |
| 8057 / P012 | | Existing Elevations | 28 October 2019 |
| 8057 / P112 | | Proposed Hostel Second and Third Floor Plan | 28 October 2019 |
| BMD.19.048. DWG.902 | | Aboricultural Implications 1 | 28 October 2019 |
| 8057 / P013 | | Demolition Plan | 28 October 2019 |
| 8057 / P102 | A | Indicative Site Section | 17 July 2020 |
| 8057 / P110 | A | Proposed Hostel Ground Floor Site Plan | 17 July 2020 |
| 8057 / P114 | A | Proposed Hostel East and North Elevations | 17 July 2020 |
| 8057 / P115 | A | Proposed Hostel West and South Elevations | 17 July 2020 |
| 8057 / P116 | A | Hostel Sections | 17 July 2020 |

| | | | |
|-------------|---|---------------------------------------|------------------|
| 8057 / P117 | A | Proposed Hostel Typical Window Detail | 17 July 2020 |
| 8057 / P122 | A | Proposed Residential Open Space | 17 July 2020 |
| 8057_SK51 | | Site Ownership Area | 17 July 2020 |
| 8057_SK52 | | Application Site Boundary Areas | 17 July 2020 |
| 8057_SK53 | | Existing Areas | 17 July 2020 |
| 8057 / P121 | C | Indicative Streetscene Elevation | 26 October 2020 |
| 8057/P120 | C | Proposed Housing Block Plan | 26 November 2020 |

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).

2. 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. 1. This planning decision letter should be read in conjunction with the S106 Legal Agreement.

2. The decision notice contains conditions which require you to submit information to the Local Planning Authority and have it approved in writing before any development relating to the approval takes place. There is a formal procedure for applying to discharge conditions and further information can be found at <http://www.welhat.gov.uk/index.aspx?articleid=834> . Failure to comply with this type of condition may result in the development being considered unlawful and

enforcement action could be taken. If you require any clarification or information please contact the section on 01707 357000.

3. If at any time during the course of construction of the development hereby approved, a species of animal that is protected under Schedule 1* or 5** of the Wildlife and Countryside Act 1981 (as amended), the Conservation (Natural Habitats) Regulations 1994*** or the Protection of Badgers Act 1992 is discovered, all construction or other site work affecting the species shall cease until a suitable mitigation scheme has been submitted to and approved in writing by the Local Planning Authority and a license has been obtained from DEFRA (Department for Environment, Food and Rural Affairs).

* Includes nesting birds

** Includes great crested newts, bats, reptiles and water voles

*** Includes great crested newts and bats.

4. 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.

5. No demolition or construction work relating to this permission shall be carried out on any Sunday, Public or Bank Holiday nor at any other time, except between the hours of 08:00 and 18:00 on Mondays to Fridays and between the hours of 08:00 to 13:00 on Saturdays.

6. It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

7. It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

8. Construction standards for works within the highway: The applicant is advised that in order to comply with this permission it will be necessary for the

developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated bus stop improvements. The requirement as part of the offsite s278 works is to:

- Upgrade of bus stops on Mill Green Road
- Upgrade of bell mouth on Peartree Farm junction
- Tactile paving on each side of the site access junction

The details should be included as part of the s278 drawing as part of the required highway work in conjunction with the development. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

9. The applicant is advised that all new highway marked on the plan within the site will remain unadopted and the developer should put in place a permanent arrangement for long term maintenance. At the entrance of the new estate the road name plate should indicate that it is a private road to inform purchasers of their future maintenance liabilities. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

10. The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

11. 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.

12. 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.

13. This planning permission gives no entitlement to affect any public rights of way or established highway within the application site. Any diversion, extinguishment, stopping up or creation of a public right of way may need its own Order under the Highways Act 1984 or The Town and Country Planning Act 1990 (As amended) before any works affecting the rights of way can be commenced. For further

information, please contact the Local Planning Authority on 01707 35700, or Hertfordshire County Council, Environment Department on 01992 555555.

14. The development will involve the numbering of properties and/or the naming of new streets. The applicant MUST contact Welwyn Hatfield Borough Council, Environmental Services (01707 357 000) before any name or number is proposed. This is a requirement of the Public Health Act 1875 and Public Health (Amendment) Act 1907.

15. 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.

2. 1. This planning decision letter should be read in conjunction with the S106 Legal Agreement.

2. The decision notice contains conditions which require you to submit information to the Local Planning Authority and have it approved in writing before any development relating to the approval takes place. There is a formal procedure for applying to discharge conditions and further information can be found at <http://www.welhat.gov.uk/index.aspx?articleid=834> . Failure to comply with this type of condition may result in the development being considered unlawful and enforcement action could be taken. If you require any clarification or information please contact the section on 01707 357000.

3. If at any time during the course of construction of the development hereby approved, a species of animal that is protected under Schedule 1* or 5** of the Wildlife and Countryside Act 1981 (as amended), the Conservation (Natural Habitats) Regulations 1994*** or the Protection of Badgers Act 1992 is discovered, all construction or other site work affecting the species shall cease until a suitable mitigation scheme has been submitted to and approved in writing by the Local Planning Authority and a license has been obtained from DEFRA (Department for Environment, Food and Rural Affairs).

* Includes nesting birds

** Includes great crested newts, bats, reptiles and water voles

*** Includes great crested newts and bats.

4. 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.

5. No demolition or construction work relating to this permission shall be carried out on any Sunday, Public or Bank Holiday nor at any other time, except between the hours of 08:00 and 18:00 on Mondays to Fridays and between the hours of 08:00 to 13:00 on Saturdays.

6. It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

7. It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

8. Construction standards for works within the highway: The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated bus stop improvements. The requirement as part of the offsite s278 works is to:

- Upgrade of bus stops on Mill Green Road
- Upgrade of bell mouth on Peartree Farm junction
- Tactile paving on each side of the site access junction

The details should be included as part of the s278 drawing as part of the required highway work in conjunction with the development. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

9. The applicant is advised that all new highway marked on the plan within the site will remain unadopted and the developer should put in place a permanent arrangement for long term maintenance. At the entrance of the new estate the road name plate should indicate that it is a private road to inform purchasers of their future maintenance liabilities. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

10. The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

11. 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.

Chris Dale

Christopher Dale
Assistant Director (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.
- 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

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@hertfordshirebc.co.uk. Alternatively, there is a lot of useful advice contained on our website: www.hertfordshirebc.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.