

To: Mr Joshua Mellor
Barton Willmore
26 Kings Hill Avenue
Kings Hill
West Malling
Kent ME19 4AE

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: Mr Joshua Mellor

Application No: 6/2021/2857/MAJ

Date of Approval: 15 September 2022

WELWYN HATFIELD BOROUGH COUNCIL, in pursuance of powers under the above mentioned act, hereby GRANT, subject to the development beginning not later than 3 years from the date hereof to: -

Development: Change of use from former gasholder site and car dealership (Sui Generis) to industrial processes (E(g)(iii), general industrial (B2) and storage or distribution (B8) and erection of three new commercial units with associated access, servicing, landscaping and boundary treatments.

At Location: 17 Tewin Road, Welwyn Garden City AL7 1BD

Applicant: Henry Boot Developments

Application Date: 19 October 2021

This planning permission is subject to a Section 106 agreement.

In accordance with the conditions listed below: -

1. No development 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.

REASON: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policy SADM2 of the Emerging Welwyn Hatfield Local Plan 2016 and the NPPF.

2. Prior to the commencement of development, a scheme for the provision of fire hydrants (served by mains water supply) shall be submitted to and approved in writing by the Local Planning Authority. No unit shall be occupied until the approved scheme of hydrant provision serving the development has been provided and is fully operational. The approved scheme shall be maintained and retained permanently thereafter.

REASON: To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire in the interests of public safety in accordance with the National Planning Policy Framework.

3. No development of the building hereby granted above ground level shall take place until samples of the materials to be used in the construction of the external surfaces of this building 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 must 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; Policy SP9 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016; and the National Planning Policy Framework.

4. Prior to the commencement of the development above ground, an updated scheme for (short and long stay) the parking of cycles including details of the design, level and siting shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is first brought into use and thereafter retained for this purpose.

REASON: To ensure the provision of cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport in accordance with Policies 1, 5 and 8 of Hertfordshire's Local Transport Plan (adopted 2018).

5. No development above ground shall take place above until detailed engineered drawings of the proposed SuDS features including cross section drawings, their size, volume, depth and any inlet and outlet features including any connecting pipe runs has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details.

REASON: To prevent the increased risk of flooding, both on and off site in accordance with Policies R7 and R8 of the Welwyn Hatfield District Plan 2005.

6. Prior to the occupation of the development hereby approved, a Final, detailed Operational and Maintenance manual for the development site shall be submitted for the approval in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details.

REASON: To prevent the increased risk of flooding, both on and off site in accordance with Policies R7 and R8 of the Welwyn Hatfield District Plan 2005.

7. The development hereby approved shall only be carried out in accordance with the submitted Flood Risk Assessment produced by BWB, Ref: TRW-BWB-ZZ-XX-RP-YE-0003_FRA, dated June 2022, Sustainable Drainage Statement produced by BWB, Ref: TRW-BWB-GEN-XX-RP-C-0001_SDS, dated June 2022 and Proposed Drainage Layout Plan (drawing number: TRW-BWB-GEN-XX-DR-C-0500 P03) dated September 2022.

REASON: To prevent the increased risk of flooding, both on and off site in accordance with Policies R7 and R8 of the Welwyn Hatfield District Plan 2005.

8. The development hereby approved shall be carried out in accordance with the submitted Tree Protection Plan, Tree Protection and Method Statement and Arboricultural Implications Assessment by Andrew Belson Arboricultural Consultant.

REASON: To protect the existing trees in the interest of visual amenity in accordance with Policy D8 of the Welwyn Hatfield District Plan 2005.

9. The development shall not be carried out except in accordance with the approved Landscape Detail Plan (drawing no. 1734-JSA-WY-XX-DR-A-01203 P5) dated August 2021.

REASON: For the avoidance of doubt and in the interest of protecting and enhancing 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 and the National Planning Policy Framework.

10. The development hereby approved shall be carried out in accordance with the mitigation measures of the submitted Ecological Assessment by Royal HaskoningDHV (dated July 2021) and the ecological enhancements of the assessment must be implemented and retained permanently thereafter within the constraints of any relevant EPS licence.

REASON: In order that the development achieves a net gain for biodiversity on the site in accordance with the Policy R16 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

11. All noisy works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Council, shall be carried out only between the hours of:

8.00am and 6.00pm on Mondays to Fridays

8.00am and 1.00pm Saturdays and at no time on Sundays and Bank Holidays

If noisy works must be carried out beyond these times, then an application must be made for consideration by environmental health under the Control of Pollution Act 1974 (Section 61 application).

REASON: To protect residents from noise from construction works beyond reasonable times in line with Policy R19 and D1 of the District Plan 2005, Supplementary Design Guidance 2005 and the National Planning Policy Framework

12. Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.

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.

The above must be undertaken in accordance with the Environment Agency's 'Land contamination risk management (LCRM)' guidance, available online at <https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm>.

13. A. Reporting of Unexpected Contamination: In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority.
An investigation and risk assessment must be undertaken in accordance with the requirements of condition B and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of

condition B, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition B.

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 Policies R2 and R7 of the Welwyn Hatfield District Plan 2005.

B. Prior to the commencement of the specific phase of the development where contamination has been identified, the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

i) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

ii) A site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. This should include an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, pests, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments.

iii) The site investigation results and the detailed risk assessment (ii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (iii) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

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 Policies R2 and R7 of the Welwyn Hatfield District Plan 2005.

C. Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation

carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.

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 Policies R2 and R7 of the Welwyn Hatfield District Plan 2005.

The above must be undertaken in accordance with the Environment Agency's 'Land contamination risk management (LCRM)' guidance, available online at <https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm>.

14. Prior to the first use of the development hereby permitted the vehicular accesses shall be completed and thereafter retained as shown on drawing numbers 003(1) B and 004(1) B in accordance with details/specifications to be submitted to and approved in writing by the Local Planning Authority in consultation with the highway authority. Prior to use appropriate arrangements shall be made for surface water to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

REASON: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

15. Prior to the first use of the development hereby permitted the vehicular and pedestrian access to, and egress from, the adjoining public highway shall be limited to the two accesses shown on drawing number 1734-JSA-WY-XX-DR-A-01201 P9. Any other accesses or egresses shall be permanently closed, and the footway and kerb shall be reinstated in accordance with a detailed scheme to be approved in writing by the Local Planning Authority in consultation with the highway authority.

REASON: To ensure construction of a satisfactory development and in the interests of highway safety and amenity in accordance with Policies 5 and 7 of Hertfordshire's Local Transport Plan (adopted 2018).

16. All agreed landscaping comprised in the above details of landscaping shall 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 D1, D2 and D8 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

17. Notwithstanding the provisions of Article 3 of the Town and Country Planning Use Classes Order 1987, and Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any orders revoking or re-enacting these Orders) this permission shall only permit the use of the building and site for a flexible E(g)(iii), B2 and B8 use only.

REASON: To enable the Local Planning Authority to fully consider the effects of development normally permitted by these orders, in the interests of ensuring continuity of employment uses on the site and to ensure an acceptable level of parking provision is retained in accordance with the National Planning Policy Framework and Policies D1 and M14 of the Welwyn Hatfield District Plan 2005.

18. No development 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.

REASON: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policy SADM2 of the Emerging Welwyn Hatfield Local Plan 2016 and the NPPF.

19. Prior to the commencement of development, a scheme for the provision of fire hydrants (served by mains water supply) shall be submitted to and approved in

writing by the Local Planning Authority. No unit shall be occupied until the approved scheme of hydrant provision serving the development has been provided and is fully operational. The approved scheme shall be maintained and retained permanently thereafter.

REASON: To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire in the interests of public safety in accordance with the National Planning Policy Framework.

20. No development of the building hereby granted above ground level shall take place until samples of the materials to be used in the construction of the external surfaces of this building 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 must 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; Policy SP9 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016; and the National Planning Policy Framework.

21. Prior to the commencement of the development above ground, an updated scheme for (short and long stay) the parking of cycles including details of the design, level and siting shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is first brought into use and thereafter retained for this purpose.

REASON: To ensure the provision of cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport in accordance with Policies 1, 5 and 8 of Hertfordshire's Local Transport Plan (adopted 2018).

22. No development above ground shall take place above until detailed engineered drawings of the proposed SuDS features including cross section drawings, their size, volume, depth and any inlet and outlet features including any connecting pipe runs has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details.

REASON: To prevent the increased risk of flooding, both on and off site in accordance with Policies R7 and R8 of the Welwyn Hatfield District Plan 2005.

23. Prior to the occupation of the development hereby approved, a final, detailed Drainage Operational and Maintenance manual for the development site shall be submitted for the approval in writing by the Local Planning Authority. The

scheme shall subsequently be implemented in accordance with the approved details.

REASON: To prevent the increased risk of flooding, both on and off site in accordance with Policies R7 and R8 of the Welwyn Hatfield District Plan 2005.

24. The development hereby approved shall only be carried out in accordance with the submitted Flood Risk Assessment produced by BWB, Ref: TRW-BWB-ZZ-XX-RP-YE-0003_FRA P05, dated May 2022, Sustainable Drainage Statement produced by BWB, Ref: TRW-BWB-GEN-XX-RP-C-0001_SDS P03, dated June 2022, Drainage Specification produced by BWB, Ref: TRW-BWB-ZZ-XX-SP-C-0500 T02 dated January 2022 and Proposed Drainage Layout Plan (drawing number: TRW-BWB-GEN-XX-DR-C-0500 P03) dated September 2022.

REASON: To prevent the increased risk of flooding, both on and off site in accordance with Policies R7 and R8 of the Welwyn Hatfield District Plan 2005.

25. The development hereby approved shall be carried out in accordance with the submitted Tree Protection Plan, Tree Protection and Method Statement and Arboricultural Implications Assessment by Andrew Belson Arboricultural Consultant.

REASON: To protect the existing trees in the interest of visual amenity in accordance with Policy D8 of the Welwyn Hatfield District Plan 2005.

26. The development shall not be carried out except in accordance with the approved Landscape Detail Plan (drawing no. 1734-JSA-WY-XX-DR-A-01203 P5) dated August 2021.

REASON: For the avoidance of doubt and in the interest of protecting and enhancing 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 and the National Planning Policy Framework.

27. The development hereby approved shall be carried out in accordance with the mitigation measures of the submitted Ecological Assessment by Royal HaskoningDHV (dated July 2021) and the ecological enhancements of the assessment must be implemented and retained permanently thereafter within the constraints of any relevant EPS licence.

REASON: In order that the development achieves a net gain for biodiversity on the site in accordance with the Policy R16 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

28. All noisy works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Council, shall be carried out only between the hours of:

8.00am and 6.00pm on Mondays to Fridays

8.00am and 1.00pm Saturdays and at no time on Sundays and Bank Holidays

If noisy works must be carried out beyond these times, then an application must be made for consideration by environmental health under the Control of Pollution Act 1974 (Section 61 application).

REASON: To protect residents from noise from construction works beyond reasonable times in line with Policy R19 and D1 of the District Plan 2005, Supplementary Design Guidance 2005 and the National Planning Policy Framework

29. Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.

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.

The above must be undertaken in accordance with the Environment Agency's 'Land contamination risk management (LCRM)' guidance, available online at <https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm>.

30. A. Reporting of Unexpected Contamination: In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority.

An investigation and risk assessment must be undertaken in accordance with the requirements of condition B and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition B, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition B.

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 Policies R2 and R7 of the Welwyn Hatfield District Plan 2005.

B. Prior to the commencement of the specific phase of the development where contamination has been identified, the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

i) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

ii) A site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. This should include an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, pests, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments.

iii) The site investigation results and the detailed risk assessment (ii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (iii) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

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 Policies R2 and R7 of the Welwyn Hatfield District Plan 2005.

C. Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.

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 Policies R2 and R7 of the Welwyn Hatfield District Plan 2005.

The above must be undertaken in accordance with the Environment Agency's 'Land contamination risk management (LCRM)' guidance, available online at <https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm>.

31. Prior to the first use of the development hereby permitted the vehicular accesses shall be completed and thereafter retained as shown on drawing numbers 003(1) B and 004(1) B in accordance with details/specifications to be submitted to and approved in writing by the Local Planning Authority in consultation with the highway authority. Prior to use appropriate arrangements shall be made for surface water to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

REASON: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

32. Prior to the first use of the development hereby permitted the vehicular and pedestrian access to, and egress from, the adjoining public highway shall be limited to the two accesses shown on drawing number 1734-JSA-WY-XX-DR-A-01201 P9. Any other accesses or egresses shall be permanently closed, and the footway and kerb shall be reinstated in accordance with a detailed scheme to be approved in writing by the Local Planning Authority in consultation with the highway authority.

REASON: To ensure construction of a satisfactory development and in the interests of highway safety and amenity in accordance with Policies 5 and 7 of Hertfordshire's Local Transport Plan (adopted 2018).

33. All agreed landscaping comprised in the above details of landscaping shall 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

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

34. Notwithstanding the provisions of Article 3 of the Town and Country Planning Use Classes Order 1987, and Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any orders revoking or re-enacting these Orders) this permission shall only permit the use of the building and site for a flexible E(g)(iii), B2 and B8 use only.

REASON: To enable the Local Planning Authority to fully consider the effects of development normally permitted by these orders, in the interests of ensuring continuity of employment uses on the site and to ensure an acceptable level of parking provision is retained in accordance with the National Planning Policy Framework and Policies D1 and M14 of the Welwyn Hatfield District Plan 2005.

DRAWING NUMBERS

35. 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
02201	P7	Proposed Ground Floor Plan	6 October 2021
02202	P6	Proposed First Floor Plan	6 October 2021
02203	P5	Proposed Roof Plan	6 October 2021
03201	P7	Proposed Sections	6 October 2021
04201	P9	Proposed Elevations	6 October 2021
90001	P2	Proposed Perimeter Fence	6 October 2021
2401	P04	Proposed External Lighting	6 October 2021
00001	P3	Existing Plan and Demolition Extents	6 October 2021
00002	P1	Existing Plan	18 October 2021
90202	P1	Cycle Parking	18 May 2022
01001	P5	Location Plan	18 May 2022
01201	P11	Block Plan	18 May 2022
01202	P5	Site Constraints Overlay	18 May 2022
01203	P5	Proposed Landscape Details	18 May 2022
TRW-BWB- GEN-XX-DR- C-0500	P03	Proposed Drainage Layout	24 June 2022

TRW-BWB- GEN-XX-DR- C-0520	P01	Site Flood Mapping	24 June 2022
003 (1)	D	Proposed Northern Service Yard Access 1	20 May 2022
004 (1)	D	Proposed Southern Service Yard Access 1	20 May 2022

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

1. **POSITIVE AND PROACTIVE STATEMENT**

The decision has been made taking into account, where practicable and appropriate the requirements of paragraph 38 of the National Planning Policy Framework and material planning considerations do not justify a decision contrary to the development plan (see Officer's report which can be viewed on the Council's website or inspected at these offices).

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. This permission does not convey any consent which may be required under any legislation other than the Town and Country Planning Acts. Any permission required under the Building Regulations or under any other Act, must be obtained from the relevant authority or body e.g. Fire Officer, Health and Safety Executive, Environment Agency (water interest etc.) Neither does this permission negate or override any private covenants or legal interest (easements or wayleaves) which may affect the land.
2. The granting of this permission does not convey or imply any consent to build upon or access from any land not within the ownership of the applicant.
3.
 1. The best practicable means, as defined in section 72 of the Control of Pollution Act 1974, to reduce noise to a minimum shall be employed at all times
 2. All plant and machinery in use shall be properly silenced and maintained in accordance with the manufacturers' instructions
 3. All compressors shall be sound reduced models, fitted with properly lined and sealed acoustic covers, which shall be kept closed whenever the

machines are in use. All ancillary pneumatic percussive tools shall be fitted with mufflers or silencers of the type recommended by the manufactures.

4. All machines in intermittent use shall be shut down during intervening periods between work, or throttled down to a minimum. Noise emitting equipment, which is required to operate continuously, shall be housed in suitable acoustic enclosures.

5. Items of plant and equipment shall be maintained in good condition so that extraneous noise from mechanical vibration, squeaking or creaking is reduced to a minimum.

6. All pile driving shall be carried out by a recognised noise reducing system.

7. Where practical, rotary drills and bursters, actuated by hydraulic or electric power shall be used for excavating hard material

8. In general, equipment for breaking concrete and the like, shall be hydraulically actuated.

9. 'BS 5228 Noise Control on Construction Sites' should be referred to for guidance in respect of all work carried out by the developer, their main contractor and any sub contractors.

10. Any emergency deviation from these conditions shall be notified to the Council without delay

11. Any planned deviations from these conditions for special technical reasons, shall be negotiated with Council at least 14 days prior to the commencement of the specific work.

12. Permissible noise levels are not specified at this stage.

4. All efforts shall be made to reduce dust generation to a minimum

Stock piles of materials for use on the site or disposal, that are likely to generate dust, shall be sited so as to minimise any nuisance to residents or neighbouring businesses. Materials for disposal shall be moved off site as quickly as possible.

Water sprays shall be used, as and when necessary, to reduce dust from particularly "dusty" activities or stock piles.

5. Works within the highway (section 278): 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 road improvements. 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 County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.

6. Storage of materials: 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 County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
7. Obstruction of highway: 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 County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
8. Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. 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 and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.
9. This permission does not convey any consent which may be required under any legislation other than the Town and Country Planning Acts. Any permission required under the Building Regulations or under any other Act, must be obtained from the relevant authority or body e.g. Fire Officer, Health and Safety Executive, Environment Agency (water interest etc.) Neither does this permission negate or override any private covenants or legal interest (easements or wayleaves) which may affect the land.
10. 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.
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.
 1. The best practicable means, as defined in section 72 of the Control of Pollution Act 1974, to reduce noise to a minimum shall be employed at all times
 2. All plant and machinery in use shall be properly silenced and maintained in accordance with the manufacturers' instructions
 3. All compressors shall be sound reduced models, fitted with properly lined and sealed acoustic covers, which shall be kept closed whenever the machines are in use. All ancillary pneumatic percussive tools shall be fitted with mufflers or silencers of the type recommended by the manufactures.
 4. All machines in intermittent use shall be shut down during intervening periods between work, or throttled down to a minimum. Noise emitting equipment, which is required to operate continuously, shall be housed in suitable acoustic enclosures.
 5. Items of plant and equipment shall be maintained in good condition so that extraneous noise from mechanical vibration, squeaking or creaking is reduced to a minimum.
 6. All pile driving shall be carried out by a recognised noise reducing system.
 7. Where practical, rotary drills and bursters, actuated by hydraulic or electric power shall be used for excavating hard material
 8. In general, equipment for breaking concrete and the like, shall be hydraulically actuated.
 9. 'BS 5228 Noise Control on Construction Sites' should be referred to for guidance in respect of all work carried out by the developer, their main contractor and any sub contractors.
 10. Any emergency deviation from these conditions shall be notified to the Council without delay
 11. Any planned deviations from these conditions for special technical reasons, shall be negotiated with Council at least 14 days prior to the commencement of the specific work.
 12. Permissible noise levels are not specified at this stage.

13. All efforts shall be made to reduce dust generation to a minimum

Stock piles of materials for use on the site or disposal, that are likely to generate dust, shall be sited so as to minimise any nuisance to residents or neighbouring businesses. Materials for disposal shall be moved off site as quickly as possible.

Water sprays shall be used, as and when necessary, to reduce dust from particularly "dusty" activities or stock piles.

14. Works within the highway (section 278): 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 road improvements. 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 County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.

15. Storage of materials: 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 County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
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17. Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. 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 and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

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
Hertsmead 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



HERTFORDSHIRE
BUILDING CONTROL



WHAT IS BUILDING CONTROL?

Building Control ensures that architects, builders, and other professionals in the construction industry adhere to the Building Regulations when designing and building structures. The Building Regulations set the standards for the design and construction of buildings, to ensure that they are safe, accessible and energy efficient.

DOES MY PROJECT NEED BUILDING CONTROL APPROVAL?

Projects that involve extensions, structural changes, loft or garage conversions, or changes to electrical wiring will - in the vast majority of cases - need Building Control certification. It is a legal requirement.

To check whether your project requires building control approval please call one of our qualified surveyors on **020 8207 7456** who will be happy to advise you. Or contact us at the following email address buildingcontrol@hartfordshirebc.co.uk. Alternatively there is a lot of useful advice contained on our website: www.hartfordshirebc.co.uk.

WHY DO I NEED BUILDING CONTROL?

There is a legal requirement that work carried out on buildings including alterations, extensions and 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, certifying 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.