

Part I

Executive Member: Councillor S. Boulton

WELWYN HATFIELD BOROUGH COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE – 21 MAY 2019
REPORT OF THE CORPORATE DIRECTOR (PUBLIC PROTECTION,
PLANNING AND GOVERNANCE)

6/2018/1983/FULL

50 REYNARDS ROAD WELWYN AL6 9TP

ERECTION OF ACOUSTIC SHELTER AND WASH FACILITY AND
INSTALLATION OF BIOLOGICAL WASHDOWN WATER TREATMENT AND
RECYCLING SYSTEM TO THE SOUTH WEST SIDE OF THE EXISTING
WORKSHOP.

APPLICANT: John O'Connor (Grounds Maintenance)

AGENT: Barker Parry Town Planning Limited

(Welwyn West)

1. Site Description

- 1.1 The application site is a parcel of land located off Reynards Road to the north of Welwyn. The front of the site is an open grassed area beyond which is a line of tall trees spanning most of the site width. These trees partially screen the rear of the site from view from the front and Reynards Road. The rear of the site, set back from Reynards Road, relates to the maintenance and storage of vehicles, machinery and equipment in connection with an existing landscaping and grounds maintenance business of John O'Connor. There is an existing workshop building in the north of the site with an area of hardstanding to the front and side. To the front of this workshop there is an existing jet wash area.
- 1.2 To the north east and the south west of the application site are residential properties, whilst to the rear of the site is an agricultural field.

2. The Proposal

- 2.1 Planning permission is sought for the erection of an acoustic shelter and a wash down facility and the installation of biological water treatment and recycling system to the south west side of the existing workshop building.
- 2.2 The acoustic shelter would be to house wash down equipment. It would have an approximate floor area of 2.5 sqm, its height would be 2.7m with brick sides, a flat roof and acoustic door. It would attach to the side of the existing workshop.

- 2.3 Planning permission is also sought for the use of a wash down facility to be located adjacent to the existing workshop at the south west of the site. This facility would be sited on an existing concrete surface which would be modified to enable drainage falls. It would be open and have no roof or canopy. It would have an approximate area of 68 sqm.
- 2.4 Although having no roof or canopy, the wash down facility would have a 2m high close-boarded set of opening gates to screen it. These gates would be located to the south. The height of the fence/gate at 2m would mean it would not require planning permission and is subsequently not assessed as part of this application.
- 2.5 The south west boundary fence adjacent to the proposed wash facility would be maintained as existing but would have a set of Perspex panels applied to control water spray. The Perspex panels would be applied to an existing 2m high fence. No details have been provided with regard to the panels, but given the Agent has confirmed they would be no higher than an existing boundary fence (2m high), they do not require planning permission and do not form part of this assessment either.
- 2.6 In addition, just to the southern edge of this proposed wash down facility, it is proposed to install a biological water and treatment recycling system consisting of a triple chamber recycling tank measuring at 5524 x1200 mm. The entire biological and treatment recycling system would be below ground level. This aspect of the proposal is an engineering operation that requires planning permission.
- 2.7 The application originally sought planning permission for a canopy to be erected above an existing jet wash facility, together with a biological wash down area to the front of the workshop building (to the south). The application has now been amended with the whole wash down facility being proposed to be located to the south west of the workshop building. There is now no proposal for a canopy above this wash down facility.

3. Reason for Committee Consideration

- 3.1 This application is presented to the Development Management Committee because Cllr Kingsbury has objected on the grounds that this proposal could be considered overdevelopment in the Green Belt. He additionally asked for it to be called-in so that the neighbours' concerns relating to noise nuisance and traffic movements can be fully considered.
- 3.2 Cllr Kingsbury (and all those consulted originally) was re-consulted of the new position, but Cllr Kingsbury maintains his call-in for the reasons given above.

4. Relevant Planning History

- 4.1 Application Number: 6/2018/1164/FULL Decision: Withdraw- Decision Date: 28 June 2018 Proposal: Erection of acoustic housing for existing pressure wash and the installation of biological wash down water treatment and recycling system.

- 4.2 Application Number: 6/2018/0969/LAWE Decision: Withdrawn- Decision Date: 28 June 2018 Proposal: Certificate of lawfulness for use of the hot pressure washing facility on plant, machinery and vehicles.
- 4.3 Application Number: 6/2017/1204/FULL Decision: Withdrawn- Decision Date: 13 April 2018 Proposal: Installation of vehicle wash-down water treatment and recycling system
- 4.4 Application Number: 6/2016/1250/FULL Decision: Refused- Decision Date: 16 September 2016 Proposal: Formation of new permeable hardstanding surface to open storage area. This was ALLOWED on appeal and costs application in favour of the applicant was allowed.
- 4.5 Application Number: N6/2015/0923/FP Decision: Granted- Decision Date: 06 November 2015 Proposal: Erection of grinding room, vehicle servicing, ancillary office and staff facilities following demolition of existing stores building, storage building and removal of portakabins. Referred to as the "The 2015 permission" in this report.
- 4.6 Application Number: N6/2014/0185/FP Decision: Granted- Decision Date: 14 August 2015 Proposal: Erection of grinding room, vehicle servicing, ancillary office and staff facilities following demolition of existing stores building, storage building and removal of portakabins (Later amended by the 2015 planning permission above).
- 4.7 Application Number: N6/2011/1621/LUE Decision: Granted- Decision Date: 13 October 2011 Proposal: Certificate of lawfulness for the continued use of building and three shipping containers for the storage of parts and equipment requisite for the maintenance and repair of the company's vehicles, equipment and plant, and use of uncovered storage area for storage of plant and machinery.
- 4.8 Application Number: N6/53/84 Decision: Granted- Decision Date: 1985 Proposal: This permitted the continued use of buildings and land for the storage and maintenance of equipment ... (the 1985 Permission). Condition 4 of the 1985 Permission states: Condition 4. All storage and maintenance of machines, vehicles and equipment including tractors shall be within the buildings and shall not take place in the open.

5. Planning Policy

- 5.1 National Planning Policy Framework 2018 (NPPF)
- 5.2 Welwyn Hatfield District Plan 2005 (Local Plan)
- 5.3 Draft Local Plan Proposed Submission 2016
- 5.4 Supplementary Design Guidance 2005 (Statement of Council Policy) (SDG)
- 5.5 Supplementary Planning Guidance, Parking Standards, January 2004
- 5.6 Interim Policy for Car Parking Standards and Garage Sizes, August 2014

5.7 Planning Obligations, Supplementary Planning Document, February 2012

6. Site Designation

6.1 The site is located within the Green Belt and within the Landscaped Character Area of Danesbury Settled Slopes as designated in the Welwyn Hatfield District Plan 2005.

7. Representations Received

7.1 The application has been advertised by means of a site notice and neighbour notification letters. A solicitor objection that represents the occupiers of 48, 54, and 56 has been received also in addition, an objection is received from the occupier 1 Reynards Road. The objections are summarised as:

- Unnecessary/inappropriate development in the Green Belt;
- The applicants continues to breach conditions of past planning approvals – no lawful use;
- Noise, use on site is unacceptable;
- Harm to protected habitat/species; and
- One objection raises the development of a “shelter” as unacceptable. However, this shelter/canopy has now been removed as a result of the proposed re-location of the wash down activists to the south west of the site.

Letter of Support

- One letter of support has been submitted by “EMW” which provides opinion on the lawfulness of the pressure washer on site. It is of note that no lawful development certificate exists for the pressure washer on site.

8. Consultations Received

8.1 Welwyn Hatfield Borough Council Environmental Health and Welwyn Hatfield Borough Council Landscapes department raise no objections.

8.2 Welwyn Hatfield Borough Council Lisa Devayya made no comments.

9. Town / Parish Council Representations

9.1 Welwyn Parish Council objected to the proposal as follows:

“Welwyn Parish Council unanimously agreed to submit a major objection. Permission was never granted for the pressure wash currently in use at the property as the application for it (6/2018/0969) was withdrawn. They maintain their objection to the amended location of the wash down facility considering it as “an unsuitable development in a residential area within the Green Belt”.

10. Analysis

10.1 The main planning issues to be considered are:

- 1. Background**
- 2. The impact on the Green Belt**
- 3. Design**
- 4. Employment**
- 5. Impact on the amenities of neighbouring properties and residents**
- 6. Other considerations**

1. Background

10.2 In November 2015, planning permission (N6/2015/0923/FP- “The 2015 permission”) was granted for the “erection of a grinding room, vehicle servicing, ancillary office and staff facilities following demolition of existing stores building, storage building and removal of portakabins”. This permission was implemented.

10.3 As part of the 2015 permission, various conditions were imposed. Of particular relevance to this application is condition 3, which reads as follows:

Works for the maintenance, repair, servicing of vehicles and the grinding of machinery shall only take place within the building outlined in black on the approved plan (PL011 Rev A). There shall be no works for the maintenance, repair, servicing of vehicles and grinding of machinery other than inside the building.

Reason: To safeguard the residential amenity of adjoining occupiers in accordance with Policy D1 and R19 of the Welwyn Hatfield District Plan 2005.

10.4 This application is submitted with particular reference to this condition and as a result of enforcement investigations which relate to noisy activities, in particular, jet washing, being carried out on the site.

10.5 As a result of enforcement investigations into the use of this outside jet wash, the applicant submitted an application for a certificate of lawful use (ref: 6/2018/0969/LAWE) for the use of a hot pressure washing facility for plant, machinery and vehicles. The jet washing activity undertaken at the site is currently in breach of condition 3 which restricts activity “for the maintenance, repair, servicing of vehicles and grinding of machinery” to inside the building only. The activity takes place outside of the workshop (the building) approved as part of the 2015 permission and therefore legal opinion was sought by the Council that planning permission would be required for the outside jet washing facility. The certificate of lawfulness was therefore withdrawn.

10.6 As a result of this legal opinion, the applicant submitted an application for a canopy over the existing jet washing area to the south of the workshop. In

their submission, the applicant has explained that this jet washing activity is essential to the continued use of the business, and that it has continued on site for many years. The use of the jet wash is such that vehicles and machinery are jet-wash-cleaned outside the workshop prior to being moved inside for repair and maintained before then being sent out again to carry on business activities for grounds maintenance.

- 10.7 The proposals originally consisted of a canopy over the existing jet washing area located to the south of the workshop so that the applicant could try and resolve the matters to do with noise impacts. However, it was considered by officers that a canopy in this location might have visual implications and subsequently the proposed wash down facility is now proposed to the south west of the site adjacent to the workshop. It is this proposal, in this new location, that is for consideration.
- 10.8 It would have been preferable to Officers to have assessed an application to vary conditions attached to the 2015 permission. However the applicant has submitted a full application. The assessment of this type of application does not prejudice the Local Planning Authority to make an informed and reasoned decision because overall, the same assessment is required on either type of application.
- 10.9 In addition to noise complaints, the Council have also received complaints about vehicular movements and excessive lighting on the site which relate to conditions 4 and 6 of the 2015 permission. Conditions 4 and 6 read as follows:

4. The number of vehicle movements in and out of the site associated with the servicing and maintenance of motor vehicles shall not exceed the average shown in the transport statement submitted with the application at paragraphs 4.6, 4.7, and 4.8 (3 vehicle movements in and 3 vehicle movements out) and a written record of such vehicles shall be maintained. These records shall contain the vehicle registration number and the time and date of the movement and shall be made available for inspection by officers of the Local Planning Authority at any reasonable time.

Reason: To safeguard the residential amenity of adjoining occupiers in accordance with Policy D1 and R19 of the Welwyn Hatfield District Plan 2005.

The external lighting proposed in connection with the development hereby approved shall be in accordance with the details submitted and drawing number PL011 Rev B. The development shall not be carried out other than in accordance with the approved details.

Reason: To protect the residential amenity of adjoining occupiers in accordance with Policy D1 and R19 of the Welwyn Hatfield District Plan 2005.

- 10.10 These investigations, in relation to vehicular movements and other noise complaints are ongoing, but do not specifically relate to this application. They are not a matter for consideration under this proposal.

10.11 This application only relates to the erection of an acoustic shelter (brick structure 2.5 sqm) and use of an outside area for a wash facility and the installation of a biological water treatment and recycling system (underground) to the south west side of the existing workshop.

2. Impact on the Green Belt

10.12 The Government attaches great importance to the Green Belt. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. In the Green Belt, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

10.13 The main issues to consider in terms of Green Belt policy, therefore, are the appropriateness of the development; the effect on the purposes of including land in the Green Belt; the effect on the openness of the Green Belt and the impact on the visual amenity of the Green Belt; if it is inappropriate development are there any very special circumstances to justify its approval.

10.14 Policies GBSP1 and GBSP2 of the Local Plan define the towns and specified settlement where development will be permitted subject to other policies of the plan. Policy SP 1 (Delivering Sustainable Development), SP 3 (Settlement Strategy and Green Belt Boundaries), SADM 1 (Windfall Development) and SADM 34 (Development within the Green Belt) of the Council's Draft Local Plan Proposed Submission 2016 show the policy direction of the emerging Plan and are, generally, refined versions of existing policy to be afforded significant weight in general terms.

Whether the proposal represents appropriate development in the Green Belt

10.15 Paragraph 145 of the National Planning Policy Framework (NPPF) states that "A local planning authority should regard the construction of new buildings as "inappropriate in the Green Belt" unless one of the exceptions identified in Paragraph 145 are met.

10.16 Exception c) of paragraph 145 states:

"the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building";

10.17 The site has undergone expansion as part of the 2014 and later the 2015 permission (ref: N6/2014/0185/FP and N6/2015/0923/FP). The 2014 permission was for the erection of a grinding room, vehicle servicing, ancillary office and staff facilities following demolition of existing stores building, storage building and removal of porta cabins. The 2015 permission allowed for a slightly larger footprint to allow for a new grinding room. As part of these assessments it was concluded that the proposals would be in the same use as existing and would not constitute a material change of use. The replacement buildings would not be materially larger

than the buildings they replaced. In terms of percentage increase in floor space, the proposals resulted in a 9% increase over existing. They were therefore concluded to be appropriate developments in the Green Belt.

10.18 This new wash facility would be an open area with a drainage channel to the south west of the existing workshop building. Its proposed use would not be contrary to the aims of paragraph 145 c). To the north of this wash down area a square brick enclosure measuring approximately 1.4m by 1.6m, with a height of 2.7m would house the wash-down equipment. In terms of additional built floorspace on site this brick structure is the only new built structure (above ground). It would represent a 2.4m² increase in floor space above that already seen on site. Additionally, the proposed underground storage tanks measuring at 5524 x1200 mm are minimal in floor area.

10.19 This very limited increase in floorspace would not represent an inappropriate increase in built floorspace given its small size.

10.20 In addition to “Exception c)” of paragraph 145 of the NPPF “Exception g) states:

“limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would: – not have a greater impact on the openness of the Green Belt than the existing development”;

10.21 In this regard the proposals would be constructed on previously developed land that is currently hardstanding adjacent to the existing workshop building.

10.22 With regard to openness as outlined under paragraph 133 of the NPPF it is stated that: *“the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence”.*

10.23 As a result of the nature of the proposed wash down facility – the area is currently concrete surfaced. It can be used to park vehicles and store machinery. In this respect, the use for a wash down facility, containing a parked vehicle would have no further impact on openness than the existing situation. With regard to the proposed buildings, as a result of their size and location, they would have no undue detrimental impact to the openness of the site in the Green Belt.

10.24 With regard to paragraph 146 of the NPPF this states that *“Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it”.* Exception b) considers “engineering operations”. The proposed underground biological and treatment recycling system consists of a triple chamber recycling tank measuring at 5524 x1200 mm. Because this aspect of the proposal would be located entirely underground, this is an engineering operation.

- 10.25 With regard to openness, the underground recycling system is not visible. On this basis, there would be no conflict with paragraph 133 of the NPPF.
- 10.26 In relation to paragraph 134 of the NPPF, the proposal would not conflict with the five purposes of including land in the Green Belt. In particular, because the site is in employment use, and the proposal would still be within the confines of the employment site, the proposal would not encroach any further into the Green Belt.
- 10.27 Its limited size and location and its proposed use would ensure that the proposal would not harm the openness of the Green Belt nor would it contravene the purposes of including land within it and as a result the proposal would not be inappropriate development in the Green Belt and would accord with the requirements of the Framework.
- 10.28 Having considered that the proposal would not be inappropriate or harmful to the openness or the purposes of including land in the Green Belt, a case of very special circumstances is not required to justify the application. Nevertheless the applicant has expressed very special circumstances by stating that: "*The wash down is a long standing facility on the site and is vital to their work*". In this respect, Officers support the view that the ability to wash down plant, machinery and vehicles is essential to the functioning and viability of the business.
- 10.29 Very Special circumstances are also considered when assessing the proposed underground recycling system. The applicants are aware that current legislation: "The Groundwater (England and Wales) Regulations 2009" requires that they install a biological water system to deal with any potential contaminants from their wash down of vehicles and plant. The proposal would provide an appropriate water recycling system that is capable of being compliant with this legislation. Given these very special circumstances, and given there would be no harmful impact on openness or the purposes, the proposed underground recycling system is appropriate.
- 10.30 Having regard to these matters, the proposal would be compliant with the objectives of Policies GBSP1 of the Welwyn Hatfield District Plan 2005, Policy SADM34 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016 and the NPPF.

3. Design

- 10.31 The proposed use and the very limited size of the brick structure and its location to the north of the site on previously developed land would ensure that visual impacts would be very limited. The proposals would not adversely impact on the character of the surrounding area and would be of good quality design.
- 10.32 The Council's Landscape department also confirm that due to the location of the proposals on a previously developed part of the site, there would be no impact on the character of the area with regard to loss of key landscaping features.

10.33 The proposal is in accordance with policies D1, D2, RA10 and D8 of the Welwyn Hatfield District Plan 2005 and with the Supplementary Design Guidance.

4. Employment

10.34 The site is within employment use. Policy EMP8 “Employment sites outside of Employment Areas” of the District Plan is applicable in this instance. It states that: “on existing employment sites, proposals for new employment development or redevelopment will only be permitted where certain criteria can be met”.

10.35 Although a recent appeal decision at Entech House (ref: 6/2017/0848/MAJ) considered this policy out of date, it nevertheless is still an adopted plan policy that forms part of the development plan. The proposal would not conflict Policy EMP8, nor Policies R1 and GBSP1 of the District Plan which all encourage development to take place on previously used or developed land.

10.36 In addition, Policy EMP8 will only permit development outside of designated employment areas where:

- i) the development would be of a similar scale to the existing activities on site;*
- ii) Would not have an adverse effects on the residential amenities of nearby properties;*
- iii) Would provide adequate parking, servicing and access arrangements and would not have an adverse impact on the highway network, including highway safety.*

10.37 In relation to Cllr Kingsbury and other resident’s objections on the grounds that the proposal could increase traffic movements on the site, there would be no significant impact on the existing situation with regard to servicing and use.

10.38 With regard to criteria i) and iii), the proposal would only be washing vehicles and plant on the site in connection with the business. The proposal would be of a similar scale to the existing activities on the site that have been carried out over a number of years. This proposal does not seek to increase the number of vehicles or plant to be used, nor does it propose to amend previous conditions attached to the 2015 permission.

10.39 With regard to criteria ii), this is assessed in section 5 below where no objections are raised. On this basis, there would, be no conflict with the aims of Policy EMP8.

5. Impact on the amenities of neighbouring properties and residents

10.40 The NPPF, Policy D1 of the District Plan and the SDG require development to be of a high standard of design and to have an acceptable

impact upon the amenities of the adjoining properties and to maintain residential amenity.

10.41 Policy R19 of the District Plan refers to noise pollution and states '*Planning permission will be refused if the development is likely*

- i. To generate unacceptable noise or vibration for other land uses; or*
- ii. To be affected by unacceptable noise or vibration from other land uses'.*

10.42 Currently the existing jet washing area located to the front (south) of the site is the main issue when complaints have been received by the Council's enforcement team. It is the "jet washing" that makes the noise. This has been raised in ongoing enforcement complaints and resulted in the applicant trying to resolve matters by proposing to re-locate the use taking into consideration the occupiers of neighbouring properties and seeking to mitigate noise and disturbance activities. An acoustic assessment has been submitted to accompany this application which has been considered by the Council's Environmental Health Officer.

10.43 The wash down area would be located to the to the south west side of the workshop building. The entrance to the wash area would be by 2m high solid timber fence gates. During washing activities, the gates would be closed. The diesel powered washer unit would be located within a dedicated brick built acoustic enclosure at the end of the rear (north) elevation of the workshop building.

10.44 The acoustic assessment by Spectrum (dated 13 February 2019) concludes that "*By locating the jet wash at the proposed new location on the south west side of the workshop building, the rating levels would not exceed the representative background LA90,T levels. Consequently, the noise impact would be low*". This assessment had regard to nearby neighbouring properties numbers 48, 52 and 54 Reynards Road. The Council's Environmental Health Officer raise no objections to the proposal, subject to conditions.

10.45 Condition 7 of the 2015 permission restricts the use of the workshop building between certain prescribed hours. Whilst not entirely necessary, given the restrictive condition of the 2015 permission and for completeness, a condition should be attached to any permission restricting the operating hours of the wash down facility.

10.46 In their supporting statement the applicants have confirmed that they would accept a condition to limit the use of the wash down facility. The use of the wash down facility should be restricted in order to protect amenity and safeguard the Green Belt. This is suggested in Condition 3 of this report.

10.47 Condition 8 of the 2015 permission also restricts the noise output resulting from the use of the workshop building. In the acoustic assessment by Spectrum (dated 13 February 2019) they have specifically considered this condition and have given due regard to how this proposal can comply with it. On this basis it is considered reasonable to once again restrict the noise

output of the proposed wash down facility. This is suggested in Condition 4 in this report.

10.48 In relation to complaints about other noisy activities on site, these are being investigated and action into these separate matters would be taken where appropriate.

10.49 The proposal therefore raises no concerns with regard to Policies D1 and R19 of the District Plan, the NPPF and the SDG with regard to impact on the occupiers of neighbouring properties, subject to conditions being imposed.

6. Other considerations

10.50 An objection has been raised with regard to habitat loss. Given that the existing area is laid with concrete and there would be no loss of trees or grassland, there would be limited impact on the existing habitat within the area.

11. Conclusion

11.1 The proposal represents appropriate development in the Green Belt where its limited size, its location and its proposed use would ensure that the proposal would not harm the openness of the Green Belt nor would it contravene the purposes of including land within it. Its design is also acceptable and no objections are raised with regard to noise and disturbance to neighbouring properties.

11.2 Subject to the conditions set out below to restrict the use of the wash down facility, the proposal is considered acceptable in terms of impacts on residential amenity.

12. Recommendation

12.1 It is recommended that planning permission be GRANTED subject to the following conditions:

1. The brickwork, roof tile, bond, mortar, detailing, guttering, soffits and other external decorations of the approved extension/alterations must match the existing building in relation to colour and texture.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with the National Planning Policy Framework and Policies D1 and D2 of the Welwyn Hatfield District Plan 2005.

2. The use of the wash down facility area hereby permitted, shall only be used for the jet washing of plant, machinery and vehicles associated with the business and for no other purpose.

REASON: To ensure that the residential amenity of occupiers of neighbouring properties is protected and that any future development

on this part of the site is appropriately assessed against Green belt policy to ensure that it protects the openness and the purposes of the Green belt in accordance with Policies GBSP1, D1, D2, R19 and SDG and the National Planning Policy Framework.

3. The use of the wash facility for the purposes hereby permitted shall not be operated other than between the hours of 0700 to 1700 hours, Monday to Friday and for no more than 4 hours on a Saturday between 0900 to 16:00 hours and at no time on Sundays or Bank holidays.

REASON: To remain in line with the requirements of condition 7 of planning permission ref: N6/2015/0923/FP in order to protect the residential amenity of adjoining occupiers in accordance with Policy D1 and R19 of the Welwyn Hatfield District Plan 2005.

4. Noise resulting from the use of the plant, machinery or equipment shall not exceed a level of 5dBA below the existing background level (or 10dBA below if there is a tonal quality) when measured according to BS4142:1997, at a point one metre external to the nearest residential property.

REASON: To protect the residential amenity of adjoining occupiers in accordance with Policy D1 and R19 of the Welwyn Hatfield District Plan 2005

5. The Perspex panels to be fixed to the existing fence as indicated on drawing number PL102 B must be no higher than 2 metres in height.

REASON: To ensure that they do not require an assessment under planning policy and remain to a satisfactory standard of development in the interests of visual amenity in accordance with the National Planning Policy Framework and Policies D1 and D2 of the Welwyn Hatfield District Plan 2005.

6. The development/ works shall not be retained other than in accordance with the approved plans and details:

Plan Number	Revision Number	Details	Received Date
PL102	B	Proposed Plans	4 March 2019
PL106	A	Site Plan	4 March 2019
PL105	A	Location Plan	4 March 2019
PL103	A	Proposed Elevations	4 March 2019
PL100	A	Existing Plans	4 March 2019
PL101		Existing Elevations	4 March 2019

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

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).

INFORMATIVES

-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.

-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.

Noise control - construction

All 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

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

- All plant and machinery in use shall be properly silenced and maintained in accordance with the manufacturers' instructions

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.

- 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.

- 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.
- All pile driving shall be carried out by a recognised noise reducing system.
- Where practical, rotary drills and bursters, actuated by hydraulic or electric power shall be used for excavating hard material
- In general, equipment for breaking concrete and the like, shall be hydraulically actuated.
- '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.
- Any emergency deviation from these conditions shall be notified to the Council without delay
- Any 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.
- Permissible noise levels are not specified at this stage.

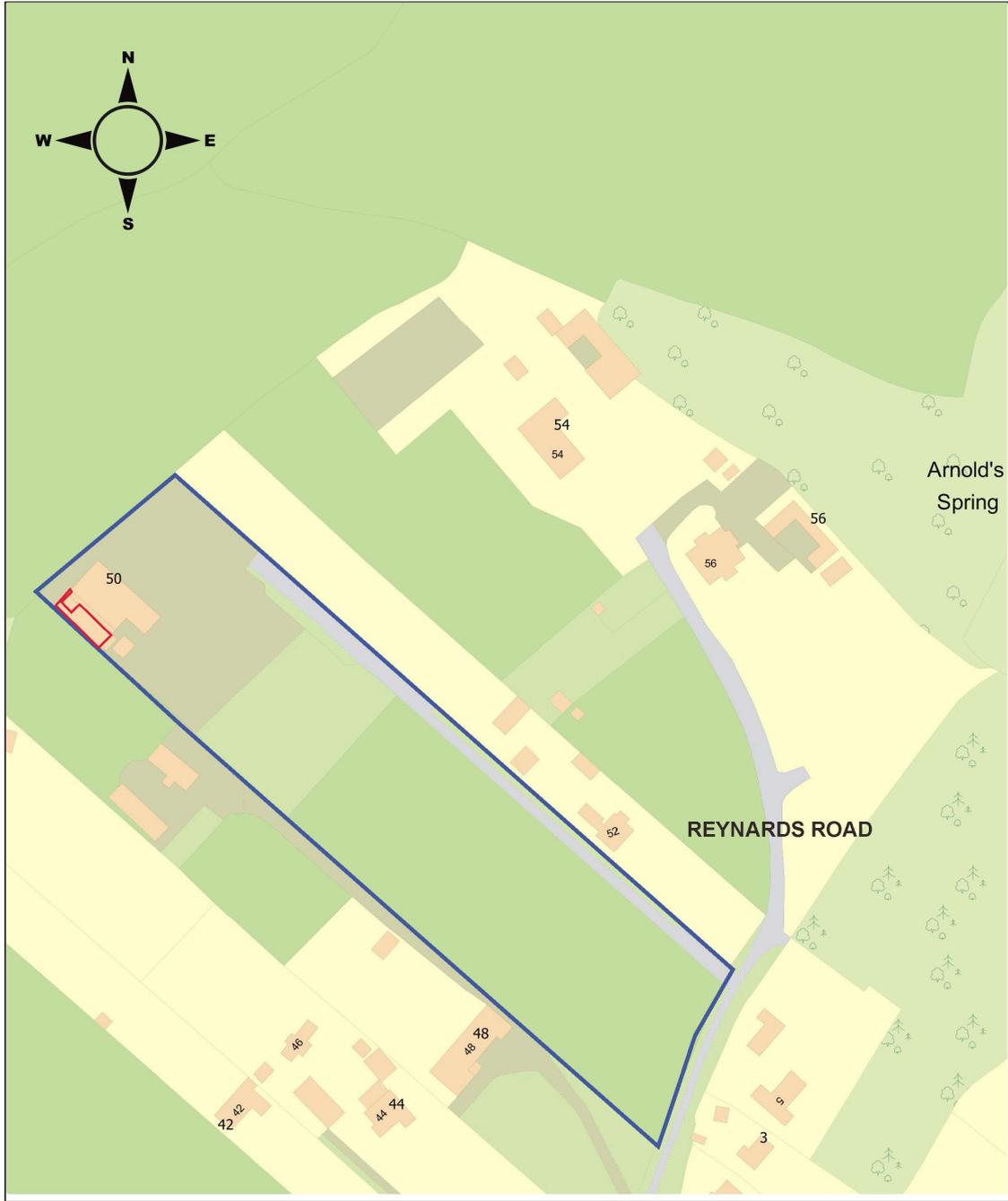
Dust control

- 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.

Sarah Madyausiku (Development Management)

Date: 2.05.2019

Expiry date: 24 May 2019



 <p>WELWYN HATFIELD</p> <p>Council Offices, The Campus Welwyn Garden City, Herts, AL8 6AE</p>	Title: 50 Reynards Road Welwyn		Scale: DNS
			Date: 2019
	Project: DMC Committee	Drawing Number: 6/2018/1983/FULL	Drawn: Baras Mast-Ingle
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