

WELWYN HATFIELD BOROUGH COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE –14 JANUARY 2025
REPORT OF THE ASSISTANT DIRECTOR (PLANNING)

6/2023/2483/FULL

38 NEW ROAD DIGSWELL WELWYN AL6 0AH

ERECTION OF A DETACHED TWO STOREY BUILDING WITH
ACCOMMODATION AT LOWER GROUND LEVEL COMPRISING 9 APARTMENTS
FOLLOWING DEMOLITION OF EXISTING PROPERTY WITH ASSOCIATED BIN
AND CYCLE STORAGE AND CAR PARKING PROVISION

APPLICANT: PK DEVELOPMENTS

1 Site Description

- 1.1 The application site lies within the specified settlement of Digswell. Digswell sits to the north of Welwyn Garden City.
- 1.2 The application site comprises of a detached 1960's built two storey dwelling location the southeastern side of New Road on a substantial plot of around 2512sqm in area. The site has a steep incline of approximately 3.8 metres from the southern corner to the northern corner over a distance of 100 metres in topographical levels. The existing dwelling is set within a large, landscaped plot which includes a number of mature trees and planting to the boundaries. Both vehicular and pedestrian access is to the front of the New Road, leading to a long driveway.
- 1.3 The application site fronts onto New Road, which is the main through road linking it to other settlements such as Welwyn Garden City, and major infrastructure links such as the A1(M) motorway. The application site is well screened within a landscaped setting and sits behind a band of trees protected by a Tree Preservation Order (TPO 260 WI).
- 1.4 New Road is predominantly residential in character. The site is located within the Digswell settlement area and is not within a Conservation Area or the Green Belt. The surrounding area consists of generally large, detached dwellings set well back from the road frontage. Within the streetscene dwellings are generally enclosed by predominantly trees and hedging or low-level brick walls and post and rail timber fencing.

2 The Proposal

- 2.1.1 This application seeks full planning permission for the erection of a detached two storey building with accommodation at lower ground level comprising 9

apartments following demolition of existing property with associated bin and cycle storage and car parking provision.

- 2.1.2 The proposed building would be positioned further forward at the application site than the original dwelling, in a more central location. The proposed layout plan demonstrates a linear style of development which would front onto New Road.
- 2.2 The development would be served by a parking area to the front consisting of 15 spaces in total, accessed from a new vehicular access from New Road to the north of the site.
- 2.3 Each dwelling would also benefit from private and communal amenity space. Bin and cycle storage would be located to the front of the site near the existing access which will be modified for pedestrian and cycle access only.
- 2.4 It is noted that amendments have been made during the course of the planning application. These relate to the location of the vehicular access point and reduction in scale of the proposed building. These amendments will be discussed throughout this report.

3 Reason for Committee Consideration

- 3.1 This application is presented to the Development Management Committee because Welwyn Parish Council has raised a major objection to the application on the following grounds:
 - 1) The proposal represents over-development of the site.
 - 2) Inadequate parking spaces
 - 3) Development does not respect neighbouring buildings and the surrounding context in terms of height, mass and scale

4 Relevant Planning History

- 4.1 Application Number: N6/1975/0061/
Decision: Granted
Decision Date: 26 March 1975
Proposal: Ground floor side extension

5 Relevant Planning Policy

- 5.1 National Planning Policy Framework (NPPF)
- 5.2 The Welwyn Hatfield Borough Council Local Plan 2016-2036 (October 2023) (Local Plan)
- 5.3 Supplementary Design Guidance 2005 (SDG)
- 5.4 Supplementary Planning Guidance, Parking Standards 2004 (SPG)

5.5 Interim Policy for Car Parking Standards and Garage Sizes 2014 (Interim Car Parking Policy)

5.6 Digswell Character Appraisal (2004)

6 Site Designation

6.1 The site lies within the settlement boundary of Digswell as designated in the Welwyn Hatfield Borough Council Local Plan 2016-2023.

7 Representations Received

7.1 The application was advertised by means of neighbour consultation letters and a site notice. In total, 21 representations have been received, all of which object to the scheme. All representations received are published in full on the Council's website and are summarised below:

Objections

- Over accumulation of similar developments in the area
- Development sets unwelcome precedence
- Overdevelopment of the plot
- Unsustainable location, car dependency
- Impact from noise and disturbance
- Inadequate car parking
- Impact on safety and operation of public highway during construction
- Increase in on street parking
- Application site located on a dangerous/blind bend causing traffic hazard
- Increase traffic congestion in the area
- Appearance and mass of building not in keeping with its surroundings
- Lack of neighbour consultation/site notice
- Impact on local wildlife including badgers
- Impact from pollution
- Loss of privacy
- Loss of light
- Impact upon value of property
- No requirements for flats
- Impact on Soper Wildlife Sanctuary
- Impact upon local facilities and infrastructure
- Overbearing impact
- Development out of character with the area and DCA
- Intense developments lead destruction of communities & isolation of residents
- Development will not ease the housing crisis

8 Consultations Received

8.1 The following consultees have responded advising that they have no objections to the proposal in principle, subject to conditions or obligations being applied:

- HCC Transport Programmes and Strategy
- Hertfordshire Ecology
- WHBC Public Health and Protection
- WHBC Landscape and Ecology
- HCC Lead Local Flood Authority (LLFA)

8.2 The following consultees have responded that they have no objections to the proposal but have not recommended conditions or obligations:

- WHBC Client Services
- Thames Water
- Hertfordshire Fire & Rescue Service
- HCC Growth Team

8.3 No response was received from the following consultees:

- Affinity Water
- HCC Water Officer
- WHBC Parking Services
- Herts and Middlesex Wildlife Trust
- Herts and Middlesex Badger Group
- RSPB

9 Analysis

9.1 The main planning issues to be considered in the determination of this application are:

- 1. Principle of development**
- 2. Quality of design and impact on the character of the area.**
- 3. Residential amenity**
- 4. Highways and parking considerations**
- 5. Other considerations**
 - i) Ecology and biodiversity**
 - ii) Flood risk and sustainable drainage**
 - iii) Renewable energy**
 - iv) Landscaping**
 - v) Contaminated land**
 - vi) Refuse and recycling**
 - vii) Accessible and Adaptable Dwellings**
 - viii) Other matters**
- 6. The planning balance**

- 1. Principle of the development**

- 9.2 The National Planning Policy Framework (NPPF) states planning policies 'should promote an effective use of land in meeting the need for homes and other uses' (Para.124).
- 9.3 Policy SP1 of the Local Plan seeks to bring about sustainable development in the borough by applying the following principles:
- The need to plan positively for growth in a way which supports economic growth, increases the supply of housing and helps to reduce social and health inequalities in the borough - whilst recognising environmental and infrastructure constraints.
 - That new development should contribute to the creation of mixed and sustainable communities which are well planned, promote healthy and active lifestyles, are inclusive and safe, environmentally sensitive, accessible, culturally rich, vibrant and vital, well served, and built to high design standards reflecting local character.
 - That the location of new development should deliver a sustainable pattern of development which prioritises previously developed land; minimises the need to travel by directing growth to those areas with good transport networks which are well served by jobs, services and facilities; protects areas of highest environmental value; and avoids areas of high flood risk.
 - That the natural and heritage assets of the borough should be protected and enhanced and its natural resources used prudently.
 - That adaptation and mitigation principles relating to climate change are incorporated into the design and construction of new development which include energy and water efficiency measures, the use of low carbon and renewable energy, the provision of green infrastructure and sustainable drainage systems (SUDs).
- 9.4 The definition of previously developed land in the NPPF includes: *“Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure.”*
- 9.5 From the planning history, it is understood that the site has an established use as residential land. Therefore, the land use would not appear to conflict with the definition of previously developed land in the NPPF.
- 9.6 The application site is not allocated in the Local Plan for housing and therefore has come forward as a windfall residential site.
- 9.7 Policy SADM1 of the Local Plan states:
- Planning permission for residential development on unallocated sites will be granted provided:

- i. The site is previously developed, or is a small infill site within a town or excluded village. In the Green Belt, Policy SADM34 will apply;
- ii. The development will be accessible to a range of services and facilities by transport modes other than the car;
- iii. There will be sufficient infrastructure capacity, either existing or proposed, to support the proposed level of development;
- iv. Proposals would not undermine the delivery of allocated sites or the overall strategy of the Plan; and
- v. Proposals would not result in disproportionate growth taking into account the position of a settlement within the settlement hierarchy.

Windfall sites will also be supported where the proposed development would support communities through the provision of community facilities to meet the demand for new or enhanced community services’.

- 9.8 Criterion (i) of Policy SADM1 is discussed above. In terms of criterion (ii), the site is located within the village of Digswell, which is situated to the north of Welwyn Garden City. With regards to the sustainability of the development, it is noted that Digswell is classified in Local Plan Policy SP3: Settlement Hierarchy, as a ‘small excluded village or settlement’ that is ‘not washed-over’ by the Green Belt designation with more limited range of employment opportunities and services than large excluded villages. Digswell is directly served by rail services and has good accessibility to the main road network. As such, these areas are considered suitable for a limited amount of new development where this is compatible with the scale and character of the village.
- 9.9 The village of Digswell contains a very limited range of local facilities, which are all within reasonable walking distance from the application site and are accessible via a footway. The facilities are identified in Policy SP5 of the Local Plan as small neighbourhood/village centres, which generally only provide for day-to-day needs. The closest large neighbourhood/village centres are in Haldens and Knightsfield in Welwyn Garden City to the south of the Hertford Road, approximately 1 – 1.2 miles away, which can be accessed on foot (20-25 minute walk).
- 9.10 The application site is also around 2.5 miles from Welwyn Garden City town centre and approximately 300m to Welwyn North Railway station. The site is around a 5-minute walk from two bus stops on a route providing a limited bus service to Welwyn Garden City and Watton on Stone which can be accessed by footways. The distances between the application site and Welwyn Garden City Town Centre would also be suitable for cycling. As such, access to services and facilities from the application site would not be entirely restricted to the use of the private car. The site is therefore considered to be reasonably accessible to services and facilities by transport modes other than the private motor vehicle. The location and accessibility of the site is therefore considered to be acceptable.

- 9.11 The application site is located within an existing residential area and due to the size of the proposal, there is no evidence that existing infrastructure does not have the capacity to absorb the development. The proposed development also has the potential to support and provide demand (albeit limited) for nearby services and facilities.
- 9.12 The proposal would not undermine the delivery of allocated sites or the overall strategy of the Local Plan; and due to the number of proposed units it would not result in disproportionate growth, taking into account the position of a settlement within the settlement hierarchy.
- 9.13 For the above reasons, the proposal would not conflict with the sustainability requirements of the National Planning Policy Framework or Policy SADM1 of the Local Plan.
- 9.14 Policy SADM9 of the Local Plan explains that proposals which result in the loss of one or more dwellings will only be permitted where:
- i. The resultant development would result in a net gain in the overall number of dwellings on the application site; or
 - ii. It can be demonstrated that the existing dwelling is significantly affected by adverse environmental conditions and there is no reasonable prospect that the impacts can be adequately mitigated against to create a healthy living environment for existing or future occupants; or
 - iii. The social, economic or environmental benefits of doing so are demonstrated to significantly outweigh the need to minimise net losses to the borough's housing stock.
- 9.15 The proposal for 9 dwellings would result in a net gain in the overall number of dwellings on the application site.
- 9.16 Paragraph 19.2 of the Local Plan also sets out the planning objectives for Digswell. It notes that when considering development proposals in Digswell, the Council will take the following local objectives into account, alongside the borough-wide objectives:
- Review and continue to use the Digswell Character Appraisal in decision making.
 - Maintain the character and widen the choice of housing available in Digswell.
 - Preserve the setting of the Grade II* listed Digswell Viaduct.
- 9.17 The above objectives will be discussed in the subsequent sections of the report, where relevant.
- 9.18 For the above reasons, it is considered that the proposed development would not conflict with the sustainability requirements of the National Planning Policy Framework or Policies SADM1 and SP1 of the Local Plan.

2. Quality of design and impact on the character of the area

- 9.19 Paragraph 131 of the National Planning Policy Framework (NPPF) clearly advises that the creation of high-quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve, and that good design is a key aspect of sustainable development
- 9.20 Paragraph 139 of the NPPF states that significant weight should be given to:
- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or
 - b) outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.
- 9.21 Consistent with the NPPF, are Policies SADM11 and SP9 of the Local Plan. These policies are expanded upon in the Council's Supplementary Design Guidance (SDG). Policy SP9 states that proposals will be required to have been informed by an analysis of the site's character and context so that they relate well to their surroundings and local distinctiveness, including the wider townscape and landscape, and enhance the sense of place. SP9 goes on to states that development proposals will need to respect neighbouring buildings and the surrounding context in terms of height, mass and scale and also be of a high-quality architectural design that creates coherent and attractive forms and elevations and uses high quality materials.
- 9.22 The Digswell Character Appraisal (2004) is also relevant, which includes information about the locally distinctive character and context of Digswell in the borough.
- 9.23 The Digswell Character Appraisal states that Digswell's sloping site and enclosed nature form the basis of its character. It is the dominance of the wooded landscape, the topographical setting and its sense of containment or separateness which give Digswell its attraction. Sub-area C (New Road) in the DCA states that the essential characteristics of this area are variations on the theme of very low-density development exemplified by, amongst other things, large plots, detached houses set in the centre of plots and houses set well back behind the front boundaries.
- 9.24 The dwellings along New Road are predominantly large single dwellinghouses with individual character and are generally sited within generous plots in an informal manner and being only fleetingly visible behind well screened green boundaries. However, the variation in scale and appearance of the properties in the immediate surrounding area has resulted in a mixed character within the streetscene. As a consequence, there is a greater degree of flexibility in the design and finish of new dwellings, provided it is of good quality design, in keeping with the prevalent character of the sub-area and does not appear unduly prominent.

- 9.25 The proposed development of flats at No. 38 New Road would represent a different form of development to the original character of the area. However, it is important to note that planning permission has been approved in more recent years at Nos. 59, 61 and 63-65 New Road for similar developments of flats (refs: 6/2023/0907/FULL, 6/2020/2818/FULL and 6/2019/1569/FULL). Furthermore, flatted developments have been granted in the past (2015) at Nos. 2 and 40 New Road (refs: 6/2015/1984/FULL & N6/2011/1833/FP). It is important to point out that an application next door at No. 40 New Road was allowed on appeal in June 2012 (N6/2011/1833/FP) where the Planning Inspector noted that *“Whilst the building would accommodate four apartments it would have the appearance of a single detached dwelling and I consider that a building of the scale and design proposed would not appear out of place within this part of Digswell”*. As such these applications have been approved on the basis that the large, detached buildings which house the flats generally appear as detached dwellings, which preserve the character of the area. As such the principle of a flatted development of this density is established in the area and the proposal would be compatible with the surrounding residential area, so long as it is not out of character in terms of the siting, set back and design of the building.
- 9.26 In this case, the proposed building has been designed to have the appearance of a large residential dwelling with a single central entrance and therefore would not appear as a block of flats when viewed from the limited public vantage points on New Road. The development would be centrally sited within the plot and would be set well back within the plot by approximately 23 metres and approximately 13.5 metres from the rear boundary, to follow the existing grain of development. The building would be set in from the flank boundaries of the site by approximately 8 metres (south) and 11 metres (north), which is a similar distance to that of the adjoining properties, and therefore would retain a reasonable degree of spaciousness within the plot. The proposed setback distance from the site frontage and the gaps to the boundaries would be reflective of the siting of a number of the dwellings in the vicinity of the site.
- 9.27 In terms of the appearance and scale of development proposed, the proposed building would be taller than the existing dwelling on the site and would have a larger footprint. It is acknowledged that the proposed block of flats would undoubtedly result in an increase in bulk and massing which would be over and above that of the existing two storey building currently on the site. However, it would not be disproportionately or incongruously large in the context of the application site and some of the other large dwellings and flatted schemes in the surrounding area, where there are examples of part two storey, part three storey high buildings. The submitted site sections plan demonstrates that the building would be comparable in overall height to the adjacent flatted development to the north (No. 40) and single occupancy dwelling to the south (No. 36). It is considered that the proposed ridge height would sit comfortably within its plot, with sufficient spacing between the adjacent properties. In addition, apart from the new access point being created, the dense vegetation on the site’s front boundary is to be retained, and the substantial set back would sufficiently screen the development in a

manner not dissimilar to many of the neighbouring and surrounding dwellings. It is therefore considered that the site would accommodate the proposed scale of development without appearing incongruous in its setting.

- 9.28 Furthermore, the existing mix of flatted schemes and dwellings in the area has resulted in a mixed character within New Road therefore the proposed mock Georgian design would not appear out of keeping. The design approach of the proposed building has been composed to appear as a large family dwelling with a central front entrance set within a prominent front gable protrusion. The built form has been broken up by stepping in the sides of the building from the front and stepping down the ridge at the corners which breaks up the bulk and expanse of the crown roof. The building will consist of red brick for the walls and slate for the roof which is acceptable in principle. Further details of the external materials can be secured by condition to ensure that they will be suitably sympathetic to the semi-rural character of the surrounding area. As such, the proposed development would not appear incongruous in its context, nor would it significantly harm the character of the street scene and the setting of the Grade II* listed Digswell Viaduct in terms of its form and scale.
- 9.29 The proposed layout of the development would result in the provision of a relatively significant amount of hardstanding in the front part of the site to accommodate the parking area. However, the extent of the hardstanding would be comparable with that approved for No. 59 New Road (6/2023/0907/FULL) and No. 61 New Road (6/2020/2818/FULL) and the levels of hardstanding present at a number of the surrounding properties, particularly those towards the top of New Road. It is therefore considered that the development would be in keeping with the overall visual character of the area. Consideration has been given to the fact that the majority of the proposed hardstanding would be screened by the mature trees and bushes on the front boundary of the site. The amount of hardstanding would be proportionate to the size of the plot and the retention of soft landscaped areas to the front, sides and rear of the site would ensure that the proposals would not represent overdevelopment of the site.
- 9.30 Moreover, it is noted that a new vehicle access is proposed to the northeast of the site which involves the removal of several trees. Although this will leave a gap in the vegetation along the frontage most of the trees along the front boundary, adjacent to New Road, are to be retained which will provide screening to and from the site. Therefore in principle there is no objection to the removal of the trees to facilitate the development subject to a landscaping condition which is discussed further below.
- 9.31 Accordingly, subject to condition, the proposed development would be of a good standard of design and would be in accordance with Policies SADM11 and SP9 of the Local Plan, the Digswell Character Appraisal, the Supplementary Design Guidance and the National Planning Policy Framework.

3. Residential amenity

- 9.32 The NPPF is clear that planning should be a means of finding ways to enhance and improve the places in which people live their lives. This means that authorities should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings (Para.135). Policies SP9, SADM11 and SADM18 of the Local Plan seek to ensure that no new development would adversely affect the existing area either in terms of any built form or in terms of the operation of any uses from noise and vibration pollution.
- 9.33 With regard to amenity, this is considered in two parts, firstly the impact on adjoining occupiers and secondly the impact of the scheme on future occupiers of the proposed dwellings.

Impact on Neighbours

- 9.34 The neighbours that would most likely be affected by the proposals would be those directly adjoining the site at Nos. 36, 40 and 42 New Road given that these properties are the nearest to the proposal. It is considered that there will not be any material harm to the amenity of the neighbouring properties in the vicinity of the site.

No. 36 New Road

- 9.35 In terms of the impact to No. 36 New Road that are situated to the south of the site, it is noted that there are currently ground and first floor windows on the side elevation of this property that face the application building however being north facing, these appear to be secondary openings in the rooms they serve. The proposal does have upper floor side facing windows however given the separation distances involved (approximately 25m) and the intervening vegetative screening at the shared boundary, these would not be considered to cause detrimental overlooking of this property. Similarly, the views attained from the first floor balconies would be obscured by the existing treeline and set a substantial distance away from the common boundary (around 8 metres away) and the neighbouring building, there would not be any detrimental overlooking of the neighbours that would warrant a refusal of the scheme. Similarly, due to the physical separation between the buildings, it is not considered that there would be any significant harm to amenity in terms of light and outlook, particularly given that the development would be located due north of this neighbour.

No. 40 New Road

- 9.36 As for the impact upon No. 40, this property comprises a block of 4 flats situated to the north of the site. Given the existing mature landscaping at the common boundary which is to be retained, the proposal is unlikely to result in significant harm to the outlook from the apartments within this site. Furthermore, due to the distance from the proposal (at its closest the proposed building would be approximately 8 metres from the common boundary and 10 metres from the building), and its orientation further forward of No. 40's front building line, and the fact that the application site is on lower

ground levels, the proposal is unlikely to result in significant harm in terms of loss of light or overbearing impact. It is also noted that no objections were raised by the neighbouring occupiers of these flats. As such no concerns are raised in this regard.

No. 42 New Road

- 9.37 With respect to impact upon the privacy of the adjoining neighbours to the rear of the site (east), whilst the development would involve a greater number of upper floor openings on the rear elevation, along with dormer windows on the roof, the replacement building would be located further away from the boundary when compared to the existing dwelling. Furthermore, there would be a separation distance of around 13 metres from the common boundary and 55 metres between the two properties themselves. As such there would only be, at most, oblique and distant views that would be achieved from the upper floor openings and balconies to the rear garden area. It is therefore considered that the development would not result in any detrimental overlooking or loss of privacy due to the relationship between the two buildings and the presence of intervening mature vegetation at the common boundary. In terms of impact upon the daylight/sunlight levels received by this neighbour, given that the proposed building would be situated effectively due west and located beyond No. 42's rear building line, there would not, at this distance, be any significant loss of light to their property. It is considered that the development would not appear unduly dominant or overbearing.
- 9.38 Whilst it is acknowledged that there is potential for additional noise and disturbance through the comings and goings of vehicles associated with the new dwellings and additional occupants, noise within the proposed dwelling's amenity spaces would be considered acceptable within a residential setting. The Council's Public Health and Protection Team have recommended a construction noise condition. It is generally accepted that most forms of development will result in some noise, particularly during the construction phase. However, this is usually for a relatively short period of time which does not cause an unacceptable or long-term impact on the living conditions of neighbouring occupiers. In this case, due to the scale of the development, together with the temporary nature of the noise impact, it is not considered to be appropriate or reasonable to restrict the hours of construction by imposing a planning condition and information can instead be added as an informative if permission is granted

Living Conditions of the Future Occupiers

- 9.39 Policy SADM11 of the Local Plan requires as a minimum, for all proposals for C3 dwellings will be required to meet the Nationally Described Space Standard (NDSS), unless it can be robustly demonstrated that this would not be feasible or viable. The Standards outline the minimum requirements for floor space and storage for new dwellings.
- 9.40 The floorspace is shown to exceed the size requirements as stipulated in the Nationally Described Technical Housing Standards document for the four bed

dwellings. The bedroom sizes would also exceed the standards in the national documents. Furthermore, the development would provide suitable views/outlook for the future occupiers from the proposed windows/openings of the habitable rooms. All habitable rooms also have windows and doors which allow adequate levels of natural light to enter. All apartments therefore have sufficient daylight, sunlight and outlook.

- 9.41 Each apartment would have access to private amenity space of varying size. The ground floor flats will have their own external private gardens whereas the first and second floor flats will have a balcony which has been integrated into the design of the building. This is considered usable and functional, and adequate for the size of dwellings proposed. In addition to this, there is also a communal garden to the rear of the building. Whilst this would be an adequate level of provision for the scheme, it would be considered reasonable and appropriate to secure, via the Landscape condition, details of hedge screening to ensure occupiers of the ground floor flats to the rear have a suitable level of privacy.
- 9.42 No external lighting details have been provided with the application. Any external lighting proposed/required as part of the development will need to be designed to take into account the ILP guidance in terms of light trespass into windows or sensitive receptors, and vertical lux diagrams will be required to show that any external lighting will not cause an issue. A condition is therefore recommended to secure the submission of an external lighting scheme.
- 9.43 Subject to the suggested condition, the proposal is therefore considered to comply with the Council's Supplementary Design Guidance and provides future occupiers with external space, in accordance with the NPPF and Policies SP9, SADM11 and SADM18 of the Local Plan.

4. Highways and parking considerations

- 9.44 In terms of parking, Paragraph 112 of the NPPF states that if setting local parking standards, policies should take into account the accessibility of the development, the type, mix and use of the development, availability of and opportunities for public transport, local car ownership levels and the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.
- 9.45 The Parking Standards Supplementary Planning Guidance (SPG) use maximum standards and are not consistent with the NPPF and are therefore afforded less weight. In light of the above, the Council have produced an interim Policy for Car Parking Standards that states that parking provision will be assessed on a case-by-case basis and the existing maximum parking standards within the SPG should be taken as guidance only. This means that higher or lower car parking standards than those set out in the SPG can be proposed and determined on a case-by-case basis taking into account the relevant circumstances of the proposal, its size context and its wider surroundings.

- 9.46 Policy 116 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 9.47 Policy SADM12 of the Local Plan states that the type and quantum of vehicle and cycle parking provided within development proposals will be informed by the standards set out in the Council's parking standards taking account of:
- a. The site's location and accessibility to public transport, services and facilities;
 - b. The nature and degree of parking demand likely to be associated with the development and opportunities for shared parking; and
 - c. The need to promote more sustainable forms of travel within the borough.
- 9.48 Digswell is located outside of any of the specified zones for car parking provision. However, as it is not within Zone 1 or 2, higher parking standards apply. A two-bedroom dwelling would require 1.5 spaces to be in line with the maximum standards, this equates to a total of 13.5 spaces.
- 9.49 In this case, the proposed site plan demonstrates that a total of 15 car parking spaces will be provided for the development which would be in accordance with Welwyn Hatfield Council's parking standards for 2-bed properties.
- 9.50 The Transport Statement states a minimum of two cycle spaces per apartment will be provided which would be in accordance with the Council's parking standards. The document confirms that the spaces will be secure and covered, although it is unclear from the plans submitted where the cycle parking will be placed. Given that cycle parking should be located at a secure place within the curtilage of the building or to the rear of the development, it would be reasonable to secured further information via condition.
- 9.51 In addition, Policy SADM12 of the Local Plan seeks to promote more sustainable forms of travel, including the provision of electric vehicle charging points. The submitted updated site layout plan that each parking space will be provided with an electric vehicle charging point. However limited information has been provided therefore it is recommended that further details of the EV points are secured by condition.
- 9.52 It is noted that concerns have been raised by neighbouring properties in regard to both highway and pedestrian safety. Hertfordshire County Council Highways team have been consulted and have raised no objection to highway or pedestrian safety subject to the suggested conditions and informatives.
- 9.53 It should be noted that the Highway Authority have considered the cumulative impact of developments in the vicinity of the application site as part of this application, due to the cumulative increase in vehicle trips, plus the nature and volume of vehicle movements and no objection was raised to the proposal on these grounds. The Highway Authority have however recommended a construction management statement is secured by condition,

to ensure the development will be constructed in a satisfactory manner and to ensure disruption to the highway is kept to a minimum.

- 9.54 In terms of access, the application proposes to install a new vehicle crossover at the northern end of the site, further along New Road, and convert the existing access to pedestrian only due to the existing access providing very limited visibility. The Transport Statement states that the boundary within the property around the newly created access will be cleared to ensure visibility is maintained.
- 9.55 In light of the limited visibility splay that can be achieved from the proposed site access, the applicant proposes mitigation measures through the installation of speed humps as well as the installation of a radar activated speed signs at the top of the hill along New Road and on the opposite side of the carriageway, between No. 37 New Road (The Willows) and No. 39 New Road (Lynden House). An updated Transport Statement, speed survey and mitigation and a plan proposing indicative location of Speed Indicator Signs and associated distances (Drawing no. DWG-3138-001) has been submitted alongside updated visibility splays to demonstrate this and it is considered acceptable by the Highway Authority. These works will however need to be in place prior to first occupation. Moreover, the existing access will need to be closed and footway and kerbs reinstated. Further details can be secured by condition and under a section S278 agreement with the Highway Authority. An informative would also be required to inform the developer of their requirements to ensure the satisfactory completion of the access and associated road improvements.
- 9.56 Overall, subject to conditions, the development would not have a severe impact on the operation of the wider highways network to warrant the Local Planning Authority to withhold planning permission. No objections are therefore raised in regards to the SPG Parking Standards; the Council's Interim Policy for Car Parking Standards; Policies SADM2 and SADM12 of the Local Plan or the NPPF.

5. Other considerations

i) Ecology and biodiversity

- 9.57 Paragraph 187 of the NPPF states that the planning decisions should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and delivering net gains in biodiversity where possible. Paragraph 193 of the NPPF goes on to listed principles that Local Authorities should apply when determining a planning application. It is stated within Paragraph 193(a) of the NPPF that “if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused”. It is stated within Paragraph 193(d) that “*opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate*”.

- 9.58 The Environment Act 2021 gives greater emphases to measurable Biodiversity Net Gain (BNG) and advocates using the current version of the Biodiversity Metric. However, mandatory BNG as set out in the Environment Act applies in England only by amending the Town & Country Planning Act and is likely to become law in 2024.
- 9.59 Policy SADM16 of the Local Plan states that proposals will be expected to maintain, protect and, wherever possible, enhance biodiversity.
- 9.60 Policy SADM16 additionally says that all developments that are not otherwise exempt will be required to deliver a measurable biodiversity net gain of at least 10%. The Biodiversity Net Gain (BNG) policy requirement will apply to Small Sites from April 2024. For residential development, this means where the number of dwellings to be provided is between one and nine inclusive on a site having an area of less than one hectare, or where the number of dwellings to be provided is not known, a site area of less than 0.5 hectares. For the above reasons, this site does not require a 10% BNG to be demonstrated.
- 9.61 The application is supported by a Preliminary Ecological Appraisal whereby a survey was conducted to assess the sites potential for protected species and habitats.
- 9.62 Hertfordshire Ecology have been consulted and suggest that site itself is not of any particular ecological importance, and there are little to no semi-natural habitats in the close surrounding area. Therefore no objection is raised to the proposed development, subject to the suggested conditions and informatives.
- 9.63 In terms of impact upon protected species. The submitted report notes that the buildings at the application site was inspected and assessed for its potential to support roosting bats, where it was found to have a negligible potential. However the line of trees is present at the site boundary, and two trees (T5 and T3) is considered to have a high potential for roosting bats. Notwithstanding, as these trees are proposed to be retained, no further survey work would be required and an informative relating to lighting would be sufficient in instance.
- 9.64 There is the potential for nesting birds onsite in the form of shrubs and trees however the these are to be retained. There is also the potential for foraging and commuting hedgehogs at the site however subject to precautionary informatives being added in the event of an approval, Hertfordshire Ecology does not consider there to be detrimental harm arising from the scheme. No harm has also been identified to Badgers or their setts by Herts Ecology. Subject to safeguarding and mitigation measures being secured by condition, the proposal will be considered acceptable.
- 9.65 Whilst the application has not demonstrated that there will be an overall biodiversity net gain. Given the significant increase in size of the building and the use of a high proportion of existing grassland for the car park, there will be

a substantial impact on the existing ecology of the site. Therefore its considered reasonable and necessary to secure a Landscape Ecological Management Plan for bat and bird boxes, native planting, species of benefit for biodiversity, rain garden, green walls/fences to ensure the ecological and habitat enhancements are achieved and sustained as part of the development.

9.66 As such, subject to the recommended conditions and informatives, there would be no conflict with the NPPF or Policy SADM16 of the Local Plan.

ii) Flood risk and sustainable drainage

9.67 The NPPF deals with issues of climate change and flooding and by means of the sequential test seeks to steer new development to areas with the lowest probability of flooding. The flood zones are the starting point for this approach. The EA identifies Flood Zones 2 & 3 and all land outside those zones is in Flood Zone 1. Policy SADM14 of the Local Plan is similar in these aims.

9.68 This site is located within Flood zone 1 i.e. a low probability of flooding. The proposal is supported with a Surface Water Drainage Strategy report.

9.69 The Lead Local Flood Authority (LLFA) have been consulted and following initial concerns raised, the applicant had submitted an updated Drainage Strategy, design plans and additional information to address their concerns. These include details to account for the local flood risk issues and surface water drainage at this site and location. Subsequently, no further objections were raised by the LLFA, however it was advised that conditions be attached in the event of an approval for a water management plan and detailed verification report in accordance with the submitted surface water drainage scheme. Subject to further details, no concerns are raised on these grounds and the proposed development would be in accordance with Policy SADM14 of the Local Plan and the NPPF.

iii) Renewable Energy

9.70 In June 2019 Welwyn Hatfield declared a Climate Change Emergency, with the aspiration of achieving net-zero carbon emissions by 2030.

9.71 The NPPF, at paragraph 161, sets out the broad objectives that the planning system should support the transition to net zero by 2050 and take full account of all climate impacts. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

9.72 Paragraph 166 of the NPPF states that 'In determining planning applications, local planning authorities should expect new development to: a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the

type of development involved and its design, that this is not feasible or viable; and b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption’.

- 9.73 Local Plan Policies SP10 and SADM13 seek to maximise opportunities for reducing carbon emissions; encourage the use of renewables where it is appropriate and consistent with other policies; and ensure that proposals are responsive to how the climate will change over their lifetime and minimise their contribution to the urban heat island effect. This is consistent with the environmental objective of sustainable development as outlined in Policy SP1 of the Local Plan and similarly in the NPPF.
- 9.74 The Design and Access Statement notes that the proposal would adopt a fabric-first approach, Where the buildup of external fabric will be heavily insulated and detailed to ensure no cold paths and internal air tightness. The document also states that the proposed scheme will incorporate on-site renewable energy sources such as Air Source Heat Pumps to reduce the energy usage for the residents units. The submitted information however is not sufficiently detailed to demonstrate full compliance with above polices as no calculations have been provided to make a full assessment. However, it is considered that additional details of the above could be secured by condition.

iv) Landscaping

- 9.75 Landscaping is important in order to protect and maintain, or ideally enhance, the existing character of the area and to reduce the visual and environmental impacts of the development. It is important that an appropriate balance between hard and soft landscaping is maintained, and the Council will aim to ensure that a proportion of the site frontage is retained as landscaped ‘greenery’ to reduce the visual prominence of hard surfacing and parked vehicles.
- 9.76 Policy SADM16 of the Local Plan sets out that proposals will be assessed for their impact on landscape features to ensure that they conserve or improve the prevailing landscape quality, character and condition. Furthermore, Policy SP9 notes that proposals should make space for nature, to enable the movement of wildlife through the development, and protect and improve the connectivity of habitats at the wider landscape scale. Policy SP10 additionally states that new and existing habitat and landscaping should be incorporated into the layout and design of proposals. Landscaping can protect and enhance the visual character of the area and reduce the visual and environmental impacts of a development.
- 9.77 The NPPF sets out at Paragraph 135 that planning decisions should be sympathetic to local character, including the landscape setting. Paragraph 136 acknowledges that trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change.

- 9.78 There is significant vegetation within the site itself. There are numerous trees which sit to the south of the site. These trees are a sufficient distance from the proposed building and should not be affected by the development. There are Tree Preservation Orders (TPOs) on some trees on site.
- 9.79 A Phase 2 Arboricultural Impact Assessment (AIA) by Arbol Euro Consulting Ltd dated 04 December 2023 has been supplied with the application. The report includes a tree survey, tree constraints and protection plan, an Arboricultural method statement and tree protection barrier specification.
- 9.80 The Council's Landscapes Team have reviewed the above documents and have confirmed the categorisation of the trees is a fair appraisal.
- 9.81 The report details that the removal of 17 trees is recommended to facilitate the development. It was considered that all the trees listed for removal are either C category or U category which are usually not considered a constraint for development. The Arboricultural Method Statement and Protection Plan provides details of how the retained trees are to be protected throughout the development. The information provided within the report is in accordance with BS; 5837:2012 and is considered appropriate and sufficient. In the event of an approval, a condition would be required to ensure the Arboricultural Method Statement and Protection Plan is adhered to fully.
- 9.82 Whilst the loss of the trees is considered to have little impact on the amenity of the area, tree planting to mitigate the losses should be undertaken. In this instance, no landscape plans had been submitted with the application and only limited details of replacement trees had been provided within the Design and Access statement. It is therefore recommended that a detailed landscape plan which includes a plan showing the location of the trees/plants, tree/plant species, planting sizes, planting densities (where appropriate), planting methods and aftercare is secured via condition upon approval.

v) Contaminated land

- 9.83 Policy SADM18 of the Local Plan states that planning applications for proposals on land formerly used for industrial, commercial or utilities purposes, or land which is considered to be contaminated or potentially contaminated, must be accompanied by a preliminary Contaminated Land Risk Assessment. Proposals which, by their nature, risk contributing to soil and water pollution, will be required to demonstrate how this risk will be avoided or mitigated to an acceptable level. On such sites, applications must be accompanied by a full survey of the level of contamination and proposals for remediation of the site.
- 9.84 The Council's Public Health and Protection Officer has reviewed the proposal and no concerns have been raised on the matter. Whilst the application site is not located within area known to be contaminated, it would be reasonable to impose an unexpected finds condition. Accordingly, the proposal would not be contrary to Policy SADM18 of the Local Plan or the NPPF.

vi) Refuse and recycling

9.85 Policy SADM12 of the Local Plan states that appropriate provision of service areas and refuse storage and collection areas should be made according to the nature of the development. Such areas and access to them should be appropriately sited and designed to ensure they can:

- a. Perform their role effectively without prejudicing or being prejudiced by other functions and users;
- b. Maintain an attractive and coherent street scene and protect visual amenity; and
- c. Avoid creating risk to human health or an environmental nuisance.

9.86 The proliferation of bins can create a considerable amount of clutter on the frontage of sites, which in turn can have a harmful impact upon the visual amenity of the streetscene and the character of the area. Inappropriate storage of bins on the highway can also disrupt pedestrian and traffic movements, contrary to the NPPF.

9.87 Details have been provided of a bin storage area for the proposed dwellings. It is noted that the maximum carry distance for residents is 30m, and in this case there will be a distance of approximately 30m when measured from the entrance of the building to the bin store. The Council's Client Services Team commented on the application and it was noted that a minimum space of 150mm has not been allowed in bin store for food waste bin. There is however considered to be sufficient space onsite to accommodate a larger bin store. Therefore notwithstanding the submitted plans and documentation, amended plans of the bin storage facility including access is recommended to be secured via condition. No concerns are therefore raised in this regard.

vii) Accessible and Adaptable Dwellings

9.88 Policy SP7 of the Local Plan states that at least 20% of all new dwellings on sites involving 5 or more new dwellings will be required to meet Building Regulations Part M4(2) standards for 'accessible and adaptable dwellings' (or as subsequently amended) the delivery of which should be distributed across market and affordable tenures. This proportion may be varied where dwellings are proposed to meet Part M4(3) standards for 'wheelchair user dwellings' (or as subsequently amended).

9.89 Whilst, in this case, the applicant has indicated in the Design and Access Statement that all of the flats will be M4(2) compliant with level access to the front door of the flats via a ramp from the car park, on limited details have been provided. It is considered reasonable for a condition to be imposed on any grant of permission to ensure that at least 20% of new dwellings within the development adhere to this part of the Building Regulations in accordance with Local Plan Policy SP7.

viii) Other matters

9.90 Concerns have been raised to the cumulative impact from the number of similar developments occurring within an area. However the Local Planning Authority is unable to take this into consideration unless there is reason for

the LPA to believe this development would conflict with the relevant policies for this reason (e.g. Highways, flooding etc). The cumulative impacts on the highways and flooding have been assessed as part of this application as discussed above, in consultation with the County Council and no objections have been raised.

- 9.91 Hertfordshire Fire and Rescue Service was consulted on the application and it was stated that all areas of the proposed dwellings can be reached within 45m of a Fire Service pumping appliance when parked directly outside the main entrance. However the required reversing distance of a Fire and Rescue vehicle onto the main road from the site appears to be approximately 33m whereas the limit is 20m under the Fire Safety Approved Document B (AD-B) Vol 1, Section B5. It was recommended that the issue could be overcome if a domestic sprinkler system is installed at the building. This is however a matter to be dealt with at building control stage and as such it would not be considered reasonable to impose a condition requiring that this requirement is met through the planning application process.

6. The planning balance

- 9.92 Policy SP1 of the Local Plan requires that proposals will be permitted where it can be demonstrated that the principles of sustainable development are satisfied and that they accord with the objectives and policies of the Development Plan. At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF outlines, in its introduction, three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles. Of particular relevance to this application is an economic role, among others, to ensure land is available in the right places to support growth; a social role to support strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations; as well as an environmental role which includes protecting and enhancing the environment.
- 9.93 The NPPF does not require development to jointly and simultaneously achieve planning gain in each of the three considerations. It is sufficient for all three to be considered and for a balance between benefit and adverse effects to be achieved across those three areas.
- 9.94 Paragraph 11 of the NPPF outlines that decisions should apply a presumption in favour of sustainable development, and, for decision-taking, this means (paragraph 11c) approving development proposals that accord with an up-to-date development plan without delay.
- 9.95 Taken together, paragraph 11(d) and footnote 8 of the NPPF set out the circumstances in which housing delivery should be considered as a material consideration when dealing with applications.
- 9.96 The Welwyn Hatfield Local Plan was adopted in October 2023 and is less than five years old. The adopted plan identified at least a five-year supply of specific, deliverable sites at the time that its examination concluded.

Therefore, in accordance with paragraph 79 of the NPPF, the Council is not required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing for decision making purposes.

- 9.97 However, the latest Government published Housing Delivery Test data (December 2023) which related to the period running from 1st April 2019 to 31st March 2022 showed that Welwyn Hatfield delivered 57% of homes against its target, falling below the 75% threshold. Therefore, in accordance with footnote 8, the 'tilted balance' set out in paragraph 11(d) of the NPPF is in effect in this instance. Therefore, planning permission should be granted unless "any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole".
- 9.98 In terms of social benefits, the proposed development would deliver 8 additional dwellings, therefore it would result in the construction of additional housing, in an existing village. This would reduce pressure on housing land take elsewhere, albeit to a limited degree. The proposed development would therefore contribute towards the identified shortfall in housing supply. Further social benefit arises from the provision of high-quality housing. Moderate weight is therefore attached.
- 9.99 In relation to the economy, the proposed development would make a small contribution through the provision of employment and the sale of materials associated with the construction of the dwellings. However, this benefit would be short term and is therefore afforded only limited weight. Whilst future occupiers of the development would support shops and services in the long term, this benefit would be spread over a wide area given the location of the site and would therefore be limited in effect.
- 9.100 Turning to the environment, the proposal would be located in an existing village, where there are possibilities for limited development. The proposal would make effective and efficient use of existing residential land on an established residential road. In addition, the proposal would not harm the visual amenity or the character and appearance of the area. The design would be good quality and would not cause undue harm to the amenity of neighbouring occupiers subject to the suggested conditions. In addition, subject to condition, the development would be of a sustainable design and construction, and includes the use of Electric Vehicle (EV) charging points and the addition of Air Source Heat Pumps (ASHP). Such environmental benefits enhance the sustainability credentials of the development which are attributed moderate weight.
- 9.101 In this case, it is considered that the benefits of the development would outweigh any negatives, taken as a whole. The proposal would therefore represent sustainable development. Accordingly, the requirements of Paragraph 11 of the NPPF, which deals with the presumption in favour of sustainable development, would be met.

10 Conclusion

10.1 Further to the above and subject to the suggested conditions, the proposal would have no significant adverse impact upon the character and appearance of the area, adjoining or future occupiers living conditions, nature conservation interests, highway safety, flood risk and sustainable drainage or other relevant matters. Accordingly, the proposal is considered to be in accordance with the relevant national and local planning policies and as such it is recommended for approval.

11 Recommendation

11.1 It is recommended that planning permission be approved subject to the following conditions:

PRE-COMMENCEMENT CONDITIONS

1. No development shall commence until a 'Construction Traffic Management Plan' has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The 'Construction Traffic Management Plan' must set out:

- the phasing of construction and proposed construction programme.
- the methods for accessing the site, including wider construction vehicle routing.
- the numbers of daily construction vehicles including details of their sizes, At each phase of the development.
- the hours of operation and construction vehicle movements.
- details of any highway works necessary to enable construction to take place.
- details of construction vehicle parking, turning and loading/unloading arrangements clear of the public highway.
- details of any hoardings and how visibility splays will be maintained.
- management of traffic to reduce congestion.
- control of dirt and dust on the public highway, including details of the location and methods to wash construction vehicle wheels.
- the provision for addressing any abnormal wear and tear to the highway.
- waste management proposals.
- Provision of sufficient on-site parking prior to commencement of construction activities;
- Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- 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 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 Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018), Policy SADM2 of the Welwyn Hatfield Borough Council Local Plan and the National Planning Policy Framework.

2. No development shall commence (including vegetation clearance) until a badger walk-over survey of the site has been carried out by a suitably qualified and experienced ecologist to check for badger activity.

If badgers will be impacted by the development, appropriate mitigation to safeguard them must be submitted to and approved in writing by the Local Planning Authority before commencement of the development (including vegetation clearance). The development must be carried out in accordance with the approved mitigation measures.

REASON: To ensure badgers are protected from harm during the construction of the development in accordance with Policy SADM16 of the Welwyn Hatfield Borough Council Local Plan and the National Planning Policy Framework.

3. Prior to the demolition of the buildings detailed in the Preliminary Ecological Appraisal, a Landscape Ecological Management Plan (including but not limited to the recommendations in the report for ecological enhancements (for bat and bird boxes, native planting, species of benefit for biodiversity, rain garden, green walls/fences) shall be submitted to and approved in writing by the Local Planning Authority. The Landscape and Ecological Management Plan (LEMP) shall ensure the ecological and habitat enhancements are achieved and sustained as part of the development.

Thereafter the construction of the development shall only be carried out in accordance with the approved LEMP.

REASON: To ensure the ecological and habitat enhancements will be achieved and sustained in accordance with Policy SADM16 of the Welwyn Hatfield Borough Council Local Plan and the National Planning Policy Framework.

PRIOR TO ABOVE GROUND DEVELOPMENT

4. No above ground development shall take place until a scheme for the parking of 20 cycles including details of the design, level, siting, lighting and security measures has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is first occupied (or 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), Policy SADM2 of the Local Plan and the National Planning Policy Framework.

5. Prior to any above ground level development beginning, details identifying the location and appearance of the electric vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority. The electric vehicle charging points shall be installed as approved prior to the first occupation of the development hereby permitted and thereafter retained as part of the development.

REASON: To ensure that sufficient provision is made for the charging of electric cars, in accordance with Policy SADM3 and SADM12 of the Local Plan and the National Planning Policy Framework.

6. No above ground development shall take place until an energy statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall include details of how the proposed development would be designed and constructed to achieve a reduction in carbon emissions (dwelling emission rates) which would exceed Part L Building Regulations baselines, in addition to any renewable energy sources to be installed or other measures to secure the sustainability credentials of the development. The development shall be carried out in accordance with the approved details and thereafter retained.

REASON: To ensure that the development contributes towards sustainable development and energy efficiency in accordance with Policy SP10 and SADM13 of the Welwyn Hatfield Borough Council Local Plan and the National Planning Policy Framework.

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

The landscaping details to be submitted shall include:

- a. original levels and proposed finished levels (earthworks to be carried out)
- b. means of enclosure and hard/soft boundary treatments including details of private amenity areas for ground floor flats
- c. hard surfacing, other hard landscape features and materials
- d. planting plans, including specifications of species, sizes, planting centres, number and percentage mix, and details of seeding or turfing

Thereafter the development shall accord with the approved details.

REASON: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted, in accordance with Policy SP9 and SADM16 of the Welwyn Hatfield Borough Council Local Plan and the National Planning Policy Framework.

8. No development above ground level in any phase of the development shall take place until full details of the external materials to be used in the construction of the development hereby approved, have been submitted to and approved in writing by the Local Planning Authority.

The details must include the colours, types and manufacturers of all external materials, including windows and doors. Thereafter, the development shall be carried out in accordance with the approved details.

REASON: In the interest of the appearance of the development, in accordance with Policy SP9 of the Welwyn Hatfield Borough Council Local Plan and the National Planning Policy Framework.

9. No development above ground level shall take place until revised plans and elevations of refuse and recycling storage have been submitted to and approved in writing by the Local Planning Authority. The details shall include a larger bin store; the gradient of the path from the bin store to freighter; bins stores to have double doors opening outwards and a coded lock. Subsequently the refuse and recycling storage shall be constructed, equipped and made available for use prior to first occupation of the development and thereafter retained for this purpose.

REASON: To ensure a satisfactory standard of refuse and recycling provision and to protect the residential amenity of adjoining and future occupiers in accordance with the Welwyn Hatfield Borough Council Local Plan and the National Planning Policy Framework.

10. Prior to the commencement of the development a construction phase surface water management plan for the site will be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details prior to and during the construction phase.

REASON: To ensure that the construction of the site does not result in any flooding both on and off site in accordance with Policy SADM14 of the Welwyn Hatfield Borough Council Local Plan and National Planning Policy Framework.

PRIOR TO OCCUPATION

11. Prior to the first use of the development, a detailed verification report, (appended with substantiating evidence demonstrating the approved construction details and specifications have been implemented in accordance with the surface water drainage scheme), has been submitted

to and approved in writing by the Local Planning Authority. The verification report shall include a full set of “as built” drawings plus photographs of excavations (including soil profiles/horizons), any installation of any surface water drainage structures and control mechanisms.

REASON: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with Policy SADM14 of the Welwyn Hatfield Borough Council Local Plan and National Planning Policy Framework.

12. Prior to the first occupation of the development hereby permitted the vehicular access, and amendments to the existing vehicular access to reinstate as footway with kerbing, shall be completed and thereafter retained as shown on Drawing Number 526423-3 Rev 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), Policy SADM2 of the Local Plan and the National Planning Policy Framework.

13. Prior to the first occupation of the development hereby permitted the proposed on-site car and cycle parking areas shall be laid out, demarcated including relevant signage, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

REASON: To ensure the permanent availability of the parking/manoeuvring area, in the interests of highway safety in accordance with Policy SADM2 of the Welwyn Hatfield Borough Council Local Plan and the National Planning Policy Framework.

14. The works for the new vehicular access and amendments to the existing access shall be completed under a S278 Agreement and to the satisfaction of the Local Planning Authority before first occupation of the development. This must include the speed mitigation measures as indicatively shown on Drawing No DWG-3138-001. If such scheme cannot be delivered, then an alternative mitigation scheme must be approved by the Local Planning Authority and delivered prior to first occupation.

REASON: To ensure construction of a satisfactory development in accordance with Policy 5 of Hertfordshire’s Local Transport Plan (adopted 2018), Policy SADM2 of the Local Plan and the National Planning Policy Framework.

15. Prior to first occupation of the development hereby permitted, full details are to be submitted and approved in writing by the Local Planning Authority in relation to the proposed arrangements for future management and maintenance of the proposed access road and streets within the development. The streets shall thereafter be maintained in accordance with the approved management and maintenance details.

REASON: To ensure satisfactory development and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard in accordance with Policies 5 and 22 of Hertfordshire's Local Transport Plan (adopted 2018), Policy SADM2 of the Local Plan and the National Planning Policy Framework.

16. Notwithstanding the submitted details, the site shall not be occupied until a schedule of units, together with appropriate plans and drawings, has been submitted to and approved by the Local Planning Authority setting out details of the number, layout and location of all units that will comply with Part M4(2) of the Building Regulations 2010. All units specified as M4(2) and in the agreed schedule and plans shall be implemented in accordance with that approval and in compliance with the corresponding part of the Building Regulations in that regard. The person carrying out the building work must inform the Building Control body which requirements apply and written verification of the completion of all dwellings in accordance with the above will be supplied to the local planning authority within 30 days of the practical completion of the building it forms part of.

REASON: To ensure that suitable housing is provided for households in need of accessible or wheelchair housing in accordance with Policy SP7 of the Welwyn Hatfield Borough Council Local Plan and the National Planning Policy Framework.

17. All hard and soft landscaping works shall be carried out in accordance with the approved details. 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 Policy SP9 and SADM16 of the Welwyn Hatfield Borough Council Local Plan and the National Planning Policy Framework.

OTHER

18. All development shall be constructed in accordance with the submitted and approved Surface Water Drainage Strategy Report and Response to LLFA Comments on Planning Drainage Strategy (dated 6 December 2024), this

includes all new residential dwellings to have a finished floor level raised a minimum of 300mm above any flood level and 150mm above the surrounding proposed ground levels unless otherwise first approved in writing by the Local Planning Authority.

REASON: To ensure the flood risk is adequately addressed and not increased in accordance with Policy SADM14 of the Welwyn Hatfield Borough Council Local Plan and National Planning Policy Framework.

19. The development hereby approved shall be carried out in accordance with the submitted Phase 2 Arboricultural Impact Assessment (AIA) by Arbol Euro Consulting Ltd dated 04 December 2023.

REASON: To protect the existing trees in the interest of visual amenity in accordance with Policies SP9 and SADM16 of the Welwyn Hatfield Borough Council Local Plan and the National Planning Policy Framework.

20. The noise level from the air source heat pump must not exceed the background noise level (LA90), at any time, at the nearest residential receptor location. The noise level must be achieved with the plant equipment running at a typical maximum load setting. The plant shall be serviced regularly in accordance with manufacturer's instructions and as necessary to ensure that the requirements of the condition are always maintained.

REASON: To protect the occupants at the nearest receptor location from noise disturbance in accordance with Policy SADM18 of the Local Plan and the National Planning Policy Framework.

21. Reporting of Unexpected Contamination:

1. 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 part 2 below, and where remediation is necessary, a remediation scheme must be prepared in accordance with the requirements of part 2, 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 part 2.

2. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), 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.

3. 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.

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>.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy SADM18 of the Local Plan and the National Planning Policy Framework.

22. Prior to the installation of any external lighting, a scheme of external lighting installations (including vertical lux diagrams which show potential

light trespass into windows of nearby residential properties) shall be submitted to and approved in writing by the Local Planning Authority. This scheme must meet the requirements within the Institution of Lighting Professionals guidance notes for the reduction of obtrusive lighting. Thereafter, the development shall accord with the approved details.

REASON: To protect the amenity of residential occupiers in the near vicinity of the development in accordance with Policy SADM11 and SADM18 of the Welwyn Hatfield Borough Council Local Plan and the National Planning Policy Framework

23. The development hereby approved shall accord with the working practices, mitigation measures and recommendations within the submitted Preliminary Ecological Appraisal by The Landscape Partnership Ltd dated November 2023, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To protect ecology and biodiversity in accordance with Policy SADM16 of the Welwyn Hatfield Borough Council Local Plan and the National Planning Policy Framework.

DRAWING NUMBERS

24. 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
526423-2		Existing Site Sections and Location Plan	12 December 2023
526423-3	C	Proposed Site Plan	13 November 2024
526423-4	A	Proposed Site Sections	13 November 2024
526423-5	A	Proposed Floorplans	13 November 2024
526423-6	A	Proposed Elevations	13 November 2024
526423-7	A	Proposed Cgi	13 November 2024
526423-1		Existing Site Plan & House Plan	12 December 2023
3138-001		Proposed Speed Indicator Signs Location Plan	31 July 2024

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

INFORMATIVES

1. 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 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.

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.

2. The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highwaysroads-and-pavements.aspx> by telephoning 0300 1234047.
3. It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highwaysroads-and-pavements.aspx> or by telephoning 0300 1234047.
4. It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highwaysroads-and-pavements.aspx> or by telephoning 0300 1234047.
5. 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

website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-anddeveloper-information/development-management/highways-developmentmanagement.aspx> or by telephoning 0300 1234047.

6. The applicant is advised that all routes associated with this development will remain unadopted and the developer should put in place a permanent arrangement for long term maintenance. At the entrance of the new estate the road name plate should indicate that it is a private road to inform purchasers of their future maintenance liabilities. Further information is available via the website www.hertfordshire.gov.uk/services/transtreets/highways/ or by telephoning 0300 1234047.
7. The proposed development is located within metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-yourdevelopment/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB
8. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Further information can be found on Thames Water's website using the following link:

<https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>
9. There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.
10. As required by Building regulations part H paragraph 2.36, Thames Water requests that the Applicant should incorporate within their proposal, protection to the property to prevent sewage flooding, by installing a positive pumped device (or equivalent reflecting technological advances), on the assumption that the sewerage network may surcharge to ground level during storm conditions. If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by

telephoning 02035779483 or by emailing trade.effluent@thameswater.co.uk .
Application forms should be completed on line via

<https://eur03.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.thameswater.co.uk%2F&data=05%7C01%7C%7Cf63ec65a0dbf4ce3812008db4d4af8cf%7C2e31fb9b220b49bdba10f6e3dd7307ea%7C0%7C0%7C638188756614150991%7CUnknown%7CTWFPbGZsb3d8eyJWljoiMC4wLjAwMDAiLCJQljoiv2luMzliLCJBTil6lk1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=1qnnAeq1umiLPQOzGqGzaql3e87E098z1ydv0EkrEPE%3D&reserved=0>.

11. We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk . Application forms should be completed on line via:

<https://eur03.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.thameswater.co.uk%2F&data=05%7C01%7C%7Cf63ec65a0dbf4ce3812008db4d4af8cf%7C2e31fb9b220b49bdba10f6e3dd7307ea%7C0%7C0%7C638188756614150991%7CUnknown%7CTWFPbGZsb3d8eyJWljoiMC4wLjAwMDAiLCJQljoiv2luMzliLCJBTil6lk1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=1qnnAeq1umiLPQOzGqGzaql3e87E098z1ydv0EkrEPE%3D&reserved=0>.

12. The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk.
13. Surface water from the car park area is likely to carry on oil and hydrocarbons. It is therefore recommended that the onsite drainage system should incorporate an oil/water interceptor which acts to prevent petrol/oil being discharged into the surface and groundwater network.
14. In this location Affinity Water will supply drinking water to the development. To apply for a new or upgraded connection, please contact the Developer Services Team by going through their My Developments Portal (<https://affinitywater.custhelp.com/>) or aw_developerservices@custhelp.com. The Team also handle C3 and C4 requests to cost potential water mains

diversions. If a water mains plan is required, this can also be obtained by emailing maps@affinitywater.co.uk . Please note that charges may apply.

15. Being within a water stressed area, the Developer is encouraged to consider the wider water environment by incorporating water efficient features such as rainwater harvesting, rainwater storage tanks, water butts and green roofs (as appropriate) within each dwelling/building.
16. It is advised to prevent the possible disturbance and, or destruction of nests during nesting bird season (March-August) by avoiding vegetation clearance works during this period as far as reasonably possible. If works cannot be avoided during the nesting bird season it is recommended that an ecologist supervise the removal of vegetation (trees and dense scrub) and inspect for nesting birds before works commence.
17. In the area of the proposed development, a cautionary approach during the construction shall be undertaken in regard to any infrastructure. Any damage to any infrastructure shall be at the expense and responsibility of the applicant.
18. 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.
19. 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.
20. The applicant is advised to take account the provisions of The Party Wall Act 1996 insofar as the carrying out of development affecting or in close proximity to a shared boundary.
21. 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.
22. Street works licence (New Roads and Street Works Act - Section 50): The applicant is advised that they are not authorised to carry out any work within the Public Highway and that to do so they will need to enter into a legal agreement with the Highway Authority (NRSW agreement). This consent is separate and additional to any planning permission that may be given. Before proceeding with the proposed development, the applicant shall obtain the requirements and permission for the associated placement of apparatus within the adjacent highway as part of the proposal via the County Council's website at:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/permit-scheme/east-of-england-permit-scheme.aspx> or by telephoning 0300 1234 40047.

This should be carried out prior to any new apparatus is placed within the highway.

23. Bats and their roosts are protected at all times under domestic and European law. Works should proceed with caution, and in the event of bats or evidence of them being found, work must stop immediately and advice taken on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England: 0300 060 3900..
24. In addition, and separate to your planning permission, for the majority of schemes, you are required by law to appoint a building regulator who will inspect your property at various stages during the course of your building project. This is to ensure it is compliant with the Building Regulations and the Building Act 1984.

The checks the building regulator will carry out include, but are not limited to, the structure, foundations, fire precautions and escape routes, electrical and plumbing compliance and other issues such as drainage and insulation. The objective of these checks is to ensure that your building is safe to live in, accessible and environmentally sustainable.

Once all build stages are checked and the works are finished, a Completion Certificate is issued confirming that these objectives have been met. You will also need the Completion Certificate, should you sell the property, as it will confirm to future owners that the work has been carried out in compliance with the Regulations.

As the owner of the property, you are responsible for Building Regulations compliance so we would urge you to decide which regulator to use, as opposed to leaving your builder or architect to make the choice. This is so that you can be sure the building regulator is truly independent and working to protect you from any breach or omission during the works.


Hertfordshire Building Control Limited are a Company wholly owned by eight local authorities in Hertfordshire including Welwyn Hatfield Borough Council. Please contact them on 01438 879990 or at buildingcontrol@hertfordshirebc.co.uk to discuss the process and all that is involved. Or alternatively refer to the Homeowner Information section on their website at www.hertfordshirebc.co.uk

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.

Raymond Lee (Development Management)
Date: 19 November 2024



 <p>WELWYN HATFIELD</p> <p>Council Offices, The Campus Welwyn Garden City, Herts, AL8 6AE</p>	Title:		Scale:
	38 New Road Digswell Welwyn AL6 0AH		1:5000
	Development Management Committee		Date:
	6/2023/2483/FULL		03-12-2024
		Drawn:	I Azunma
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