

JD/3811

29 January 2025

Andrew Hunter
North Herts District Council
PO Box 10613
Nottingham
NG6 6DW

Dear Andrew,

RE: Land at Oakleigh Farm Industrial Estate, Codicote Road, Welwyn AL6 9TY
Planning Permission Ref: 23/02719/FP

Under Section 96A of the Town and Country Planning Act 1990 please find enclosed an application to vary conditions attached to the above planning permission. We are making the application on behalf of our Client, Kingshall Estates.

In September 2021 planning permission 6/2020/0714/MAJ was granted on appeal for the demolition of all existing buildings and structures, the change of use of western section to residential comprising the erection of seven new detached dwellings with associated detached garages, parking and amenity areas. The change of use of eastern section to paddock and upgrading the existing access road.

The site crosses the boundary between Welwyn Hatfield and North Herts, and a duplicate application was therefore submitted to North Herts District Council (NHDC). This was also granted on appeal.

These planning permissions were subsequently amended in July 2024 through the approval of Section 73 applications (NHDC ref: 23/02572/S73) which sought to introduce revised drawings with amendments to the approved access road to the site and its associated landscaping. The purpose of the amendments was to improve the visual appearance and useability of the access road. Conditions attached to this S73 permission were subsequently amended through 24/02130/NMA and construction of the access road is currently taking place under this permission.

Separate full applications were also submitted concurrently to both authorities which incorporated design enhancements to the 7 dwellings and their garages/carports. This revised scheme reflected the amendments to the access road which were proposed in the abovementioned Section 73 applications.

NHDC approved the full application (ref. 23/02719/FP), but WHBC subsequently took the decision to refuse the application since whilst concluding that proposal significantly improved upon the extant consent in design terms, Officers considered that "very special circumstances" had not been sufficiently demonstrated to approve inappropriate development in the Green Belt.

Positive discussions have since been held with WHBC and an amended proposal has been recently approved by WHBC (ref. 6/2024/2017/MAJ). A copy of the decision notice is enclosed.

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The purpose of this S96A application is to amend a number of the drawings approved under full application (ref. 23/02719/FP) so that the development is aligned with that recently approved by WHBC. The amendments can be summarised as follows:

- A reduction in volume of the proposed double garages on plots 5 & 6 by amending them to single garages with garden stores to provide space for storing garden paraphernalia;
- A reduction in the ridge height of the proposed garage on plot 4 further reducing volume;
- An enhanced landscape buffer around the perimeter of the gardens to provide a more robust screen of the development in the limited views from the wider countryside. The amended perimeter landscaping takes the form of a 3m wide landscaped buffer to the eastern edge, expanding to 4m along the southern edge. This landscaped buffer will include hedgerow, tree and understorey shrub planting, the retention and maintenance of which will be secured by a covenant on each plot; and
- Removal of the electric fob entry gate.

The application comprises of the following documents:

- Application Form
- Application Drawings

Drawing	Approved Plan	Amended Plan
Location Plan	19359 1001A	No change
Planning Layout	19359 1002A	19359 1002B
Refuse Strategy Layout	19359 1003A	19359 1003B
Car Parking Strategy Layout	19359 1004	19359 1004A
Boundary Treatment Layout	19359 1005	19359 1005B
HT A Plot 1 and 3 - Floor Plans and Elevations	19359 100	No change
HT B Plot 2 - Floor Plans	19359 101	No change
HT B Plot 2 - Elevations	19359 102	No change
HT B Plot 7 - Floor Plans	19359 103	No change
HT B Plot 7 - Elevations	19359 104	No change
HT C Plot 4 - Floor Plans	19359 105	No change
HT C Plot 4 - Elevations	19359 106	19359 106A
HT D Plot 5 and 6 - Floor Plans and Elevations	19359 107	No change
Plot 1 Garage and Carport Detail	19359 110	No change
Plot 3 Garage Detail	19359 111	No change
Plot 5 and 6 Garage and Carport Detail	19359 112	19359 112A
Shed Detail	19359 113	No change
Boundary Treatment Details	19359 115	19359 115A
Planting Proposals	B23086.401B (please note this drawing is incorrectly identified on the decision notice as 400B)	B23086.401E
Private Levels and Drainage Sheet 1	19367-OAKL-5-101G	19367-OAKL-5-101H
Private Levels and Drainage Sheet 2	19367-OAKL-5-102 I*	19367-OAKL-5-102J



Surface Finishes Full Application	19367-OAKL-5-103D*	19367-OAKL-5-103E
Access Junction Tracking - Refuse	19367-OAKL-5-104D	No change
Access Road Tracking - Refuse Sheet 1	19367-OAKL-5-105A*	No change
Access Road Tracking - Refuse Sheet 2	19367-OAKL-5-106A*	No change
Access Junction Tracking - Tractor	19367-OAKL-5-107D*	No change
Access Road Tracking - Tractor Sheet 1	19367-OAKL-5-108A*	No change
Tracking Delivery Vehicle	19367-OAKL-5-109A*	No change
Access Geometry	19367-OAKL-5-110D*	19367-OAKL-5-110G
Proposed Culvert Details	19367-OAKL-5-111A*	No change
Surface Finishes	19367-OAKL-5-115A*	19367-OAKL-5-103E
Drainage Strategy Sheet 1	19367-OAKL-5-200E*	19367-OAKL-5-200F
Drainage Strategy Sheet 2	19367-OAKL-5-201E*	No change
Manhole Schedule	19367-OAKL-5-300A*	No change
S278 Access Junction		19367-OAKL-5-515**
S278 Access Junction	19367-OAKL-5-500D*	19367-OAKL-5-500E
S278 Access Junction Site Clearance	19367-OAKL-5-501A*	No change
S278 Access Setting Out Plan	19367-OAKL-5-502	No change
Longitudinal Sections Sheet 1	19367-OAKL-5-700E*	No change
Longitudinal Sections Sheet 2	19367-OAKL-5-701C*	No change
Storage Crate Details	19367-OAKL-5-900D	No change
Typical Highway Details	19367-OAKL-5-901B*	No change
Typical Headwall Details	19367-OAKL-5-902	No change
Private Drainage Details	19367-OAKL-5-903A*	No change
S278 Typical Highway Details	19367-OAKL-5-904B*	19367-OAKL-5-904C
Arboricultural Method Statement and Tree Protection Plan	3794.Oakleigh.Kingshall.TPP Rev A (dated 21.08.2023)	3794.Oakleigh.Kingshall.TPP Rev A (dated 18.10.2024)
Arboricultural Implications Plan / Arboricultural Impact Plan	3794.Oakleigh.MHA.AIP	3794.Oakleigh.WH.AIP

* denotes where plan revision number is not identified on decision notice

** new plan approved by WHBC and prepared as part of S278 application with the Highway Authority, and is effectively a zoomed in version of 19367-OAKL-5-500.

The following updated documents have also been submitted to provide further information on the amended proposals.

- Welwyn Hatfield Planning Permission 6/2024/2017/MAJ
- Design and Access Statement
- Volumes Schedule Rev A
- Planning Statement
- Flood Risk Assessment & Drainage Strategy
- Arboricultural Implications Assessment Report



A number of consequential changes to the conditions on planning permission 23/02719/FP are required as identified below:

5) A scheme for the protection of retained trees shall be in accordance with the details shown on drawing 3794.Oakleigh.Kingshall.TPP rev A (dated 18.10.2024).

9) Prior to occupation of the development hereby permitted the existing access road from the Codicote Road shall be improved and re-constructed as identified on drawing numbers 19367-OAKL-5-110 ~~Rev D~~ Rev G & 19367-OAKL-5-103 ~~Rev D~~ Rev E and the internal road layout shall be complete as identified on the above drawing numbers.

18) Prior to the commencement of the development (except demolition and construction of the access road including vehicular access from Codicote Road), details of all flood resilient and resistant measures shall be submitted to and approved in writing by the Local Planning Authority. The agreed measures shall then be installed and maintained in perpetuity.

19) Prior to the commencement of development (except demolition and construction of the access road including vehicular access from Codicote Road), construction drawings of the surface water drainage network, associated sustainable drainage components and flow control mechanisms and a construction method statement shall be submitted and agreed in writing by the local planning authority. The scheme shall then be constructed as per the agreed drawings, method statement, FRA & Drainage Strategy (dated ~~November 2023~~ 23 September 2024, REF 19367/FRA and DS), ~~Technical Notes (dated May, June and July, REF 19367)~~ and Drawings (dated ~~June 2024~~, REF 19367-OAKL-5-200 E and REF 19367-OAKL-5-201 E) and remain in perpetuity for the lifetime of the development unless agreed in writing by the Local Planning Authority. No alteration to the agreed drainage scheme shall occur without prior written approval from the Local Authority.

21) Upon completion of the surface water drainage system, including any SuDS features, and prior to the first use of the development; a survey and verification report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall demonstrate that the surface water drainage system has been constructed in accordance with the details approved in the Flood Risk Assessment (dated ~~November 2023~~ 23 September 2024, REF 19367/FRA and DS), ~~Technical Notes (dated May, June and July, REF 19367)~~. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently resurveyed with the findings submitted to and approved in writing by the Local Planning Authority.

We also consider that the following condition can be updated to a compliance condition to reflect the fact that the access road works are already taking place under planning permission 23/02572/S73 and a S278 agreement.

10) Before commencement of development, detailed design plans must be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority, showing the revised access onto Codicote Road as identified on drawing no. 19367-OAKL-5-110 Rev D. The works shall be completed under a S278 Agreement and to the satisfaction of the Local Planning Authority before first occupation of the development.



The wording used on the WHBC permission (ref. 6/2024/2017/MAJ) is as follows:

“15) Prior to the first occupation of the development hereby permitted, the site access modification and Pedestrian Crossing, Tactile Paving, Visibility and Footways onto Codicote Road (B656) as shown on the s278 Access Works Plan (Ref- 19367-OAKL-5-500 Rev-E and OAKL-5-515) shall be constructed and shall be secured and undertaken as part of the s278 works.”

Lastly, the following condition can be removed since the amended planning layout (ref. 19359 1002B) provided with application excludes the electric fob entry gate.

22) Notwithstanding the approved plans, the development shall not include the 'Electric Fob Entry Gate' shown on drawing '19359 1002A Planning Layout' (excluding the gate pillars and pedestrian gate).

We trust the above provides you with sufficient information to support the proposal and look forward to receiving a decision notice at the earliest opportunity. If any further information is required please do let me know.

Yours sincerely

For and on behalf of WOODS HARDWICK PLANNING

James Delafield
Associate Director