

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Town Planning
Ref. No. 4/0064/84
Other
Ref. No.

THE DISTRICT COUNCIL OF DACORUM
IN THE COUNTY OF HERTFORD

To Commission for the New Towns
Glen House
Stag Place
Victoria, London

Gordon White & Hood
Architects
77 Kings Street
Leicester

...Erection of superstore and multi-storey car park (OUTLINE)
.....
at Marlowes/Hillfield Road/Alexandra Road/Midland Road
.....
Hemel Hempstead
.....

Brief
description
and location
of proposed
development.

In pursuance of their powers under the above-mentioned Acts and the Orders and Regulations for the time being in force thereunder, the Council hereby permit, in accordance with the provisions of Article 5(2) of the Town and Country Planning General Development Orders: 1977-83 the development proposed by you in your outline application dated 13.1.1984 and received with sufficient particulars on 18.1.1984 amended 31.6.1984 and 12.7.1984 and shown on the plan(s) accompanying such application, subject to the following conditions:-

- 1 The development hereby permitted shall not be carried out otherwise than in accordance with detailed plans and drawings showing the siting, layout, design, landscaping and external appearance of the building(s) and the means of access thereto which shall have been approved by the local planning authority, before any development is commenced.
- 2 (a) Application for approval in respect of all matters reserved in Condition 1 above shall be made to the local planning authority within a period of 3 years commencing on the date of this notice.
(b) The development to which this permission relates shall be begun by not later than whichever is the later of the following dates:-
(i) the expiration of a period of 5 years, commencing on the date of this notice.
(ii) the expiration of a period of 2 years commencing on the date upon which final approval is given by the local planning authority or by the Secretary of State or, in the case of approval given on different dates, the final approval of the last such matter to be approved by the local planning authority or by the Secretary of State.
- 3 No goods, crates, packaging materials, trolleys or waste shall be stacked or stored on the site except within the building or storage areas at any time approved by the local planning authority.

The reasons for the local planning authority's decision to grant permission for the development subject to the above conditions are:-

1. To comply with the provisions of Regulation 5(2) of the Town and Country Planning General Development Order, 1977-81.
2. To comply with the requirements of Section 42 of the Town and Country Planning Act, 1971.
3. In the interests of amenity.
4. In the interests of amenity.
5. To ensure the proper and satisfactory development and layout of the site.
6. To avoid misuse of the parking areas and to enable the local planning authority to retain control of parking arrangements.
7. To ensure that adequate safeguards are made to preserve car parking facilities in the town centre.
8. To ensure proper development of the site.
9. To ensure proper development of the site.

Dated day of 19

Signed.....

Designation

NOTE

(1) If the applicant wishes to have an explanation of the reasons for this decision it will be given on request and a meeting arranged if necessary.

(2) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with section 36 of the Town and Country Planning Act 1971 within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Department of the Environment, Caxton House, Tothill Street, London SW1H 9LZ.) The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements (a), to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by him.

(3) If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted he may serve on the Common Council, or on the Council of the county borough, London borough or county district in which the land is situated, as the case may be, a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part IX of the Town and Country Planning Act 1971.

(4) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 169 of the Town and Country Planning Act 1971.

(a) The statutory requirements are those set out in section 36(7) of the Town and Country Planning Act 1971, namely sections 29(1), 30(1), 67 and 74 of the Act.

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CONDITIONS CONTINUED

- (15) No bakery facility shall be located within the building hereby permitted without the prior agreement in writing of the local planning authority as to its location within the store.
- (16) Prior to work commencing on the site, details shall be submitted to and approved by the local planning authority of facilities for the cleaning of the wheels of vehicles leaving the site. Such facilities shall be maintained on the site during the period of construction work to the satisfaction of the local planning authority.
- (17) Details submitted in accordance with Condition (1) shall include any ramped exit from the multi-storey car park to be contained wholly within the building.
- (18) The details submitted in accordance with Condition (1) of this permission shall include full details of all lighting equipment to be used in the multi-storey car park.
- (19) The details submitted in accordance with Condition (1) shall indicate parapet walls of 2m in height on the perimeter of the upper floors of the multi-storey car park facing properties in alexandra Road.
- (20) Notwithstanding the details indicated on the plans hereby approved the position of the plant rooms within the building shall be agreed in writing with the local planning authority before any work is commenced on the site.

REASONS CONTINUED

- (10) In the interests of the residential amenity of adjacent dwellings.
- (11) To avoid unnecessary traffic congestion within the site.
- (12) To minimise traffic congestion within the site.
- (13) To minimise traffic congestion within the site.
- (14) In the interests of amenity.
- (15) For the avoidance of doubt and to safeguard the residential amenities of adjacent property.
- (16) In the interests of highway safety and amenity.
- (17) To ensure the proper development of the site.
- (18) To ensure the proper development of the site.
- (19) In the interests of general amenity.
- (20) To safeguard the residential amenities of adjacent dwellings.
- (21) To safeguard the residential amenities of adjacent dwellings.

Dated

1st

day of OCTOBER 1984

Signed

Chris Barnard

Designation CHIEF PLANNING OFFICER

CONDITIONS CONTINUED

- (4) Details submitted in accordance with Condition (1) of this permission shall include details of sound insulation work required to reduce emission from any heating, refrigeration or ventilation plant or compactor unit.
- (5) The road(s) hereby permitted shall be constructed in accordance with plans, sections and details which shall be submitted to, and approved by, the local planning authority before any work is commenced on site.
- (6) The car parking areas hereby permitted shall not be made available for public use outside the hours of 0700-2200 Mondays to Saturdays, and adequate arrangements shall be made for such closure to accord with a scheme to be agreed with the local planning authority.
- (7) Before the existing surface car park on the site is closed, adequate alternative facilities shall be provided in accordance with a scheme to be submitted to and approved by the local planning authority.
- (8) Before the building hereby permitted is occupied the car parking spaces, service areas and vehicle manoeuvring areas shall be laid out and surfaced in accordance with details submitted in accordance with Condition No (1) of this permission and these shall be maintained at all times thereafter to the satisfaction of the local planning authority.
- (9) The details submitted in accordance with Condition No (1) of this permission shall include parking space for a minimum of 415 cars.
- (10) Prior to the commencement of building operations the existing car park entrance from Alexandra Road shall be closed at its western extremity and shall not be used for construction traffic or storage materials. This condition shall apply notwithstanding the provisions of Class IV of Schedule 1 to the Town and Country Planning General Development Order 1977-83.
- (11) The service yard indicated on Drawing No. shall not be otherwise than for the parking and unloading of commercial vehicles.
- (12) Prior to any building operations, including excavation, commencing on the site the access to Midland Road shall be substantially constructed for a distance of at least 50 m from its junction with the public highways.
- (13) All construction traffic shall enter and leave the site by means of the access to Midland Road.
- (14) Full details of boundary walls and fences shall be submitted to and approved by the local planning authority in accordance with Condition (1) of this permission and these shall be constructed prior to commencement of major construction works.