



TOWN AND COUNTRY PLANNING ACT 1990

DACORUM BOROUGH COUNCIL

Application Ref. No. 4/0092/94

Gade Investments Ltd
Blue Court
39 Queensway
Hemel Hempstead
Herts

Lardi Cox And Partners
Maylands House
Maylands Avenue
Hemel Hempstead
Herts

DEVELOPMENT ADDRESS AND DESCRIPTION
=====

Former Lex Garage Site, Lower Kings Road, Berkhamsted

ERECTION OF 24 TWO BEDROOMED FLATS, FORMATION OF ACCESS, PARKING, GARAGES AND AMENITY SPACE

Your application for *full planning permission* dated 24.01.1994 and received on 24.01.1994 has been **GRANTED**, subject to any conditions set out on the attached sheet(s).

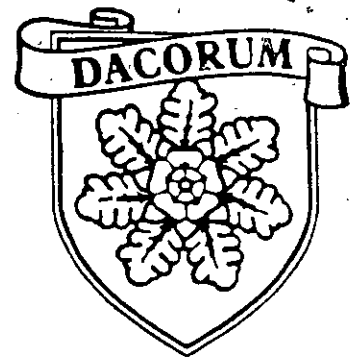
Director of Planning.

Date of Decision: 26.05.1994

(encs. - Conditions and Notes).

CONDITIONS APPLICABLE
TO APPLICATION: 4/0092/94

Date of Decision: 26.05.1994



1. The development to which this permission relates shall be begun within a period of five years commencing on the date of this notice.

Reason: To comply with the provisions of s.91 of the Town and Country Planning Act 1990.

2. No development shall take place until details of the proposed finished ground levels of the site, including details of all retaining walls, in relation to the existing site levels of surrounding property including the railway embankment and the public highway shall have been submitted to and approved by the local planning authority and the development shall be carried out in accordance with the details so approved.

Reason: For the avoidance of doubt and to ensure that the work is carried out to suitable levels having regard to drainage, gradient of access, stability of the railway embankment and the amenities of adjoining properties.

3. No development shall take place until details of all boundary treatments shall have been submitted to and approved by the local planning authority and the approved means of enclosure shall be constructed or planted prior to the first occupation of the residential flats hereby permitted.

Reason: To ensure a satisfactory appearance and in the interests of safety.

4. Details submitted pursuant to Condition 3 shall include elevational and sectional drawings at a scale of 1:20 of the proposed railings for the southern site boundary. The railings shall be of cast iron construction or such other material as may be approved in writing by the local planning authority prior to the commencement of work.

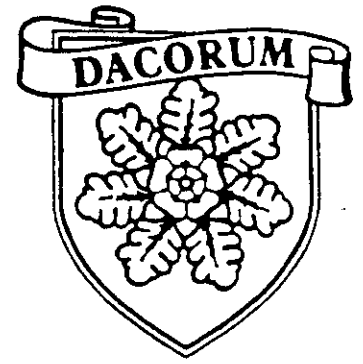
Reason: To ensure a satisfactory appearance appropriate to the character of Berkhamsted Conservation Area.

5. No development shall take place until there has been submitted to and approved by the local planning authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development, and details of numbers, species and proposed planting location of all new trees, shrubs and hedgerows.

Reason: To maintain and enhance visual amenity.

6. Details submitted pursuant to Condition 5 shall include a detailed arborists' report in respect of the existing mature beech tree in the south east corner of the site, coloured green on approved drawing no. L1655/F00 Rev.AB. The report shall consider the health and vigour of the tree and its suitability for retention as part of the proposed development and shall include either recommendations in respect of works necessary to ensure retention of the tree and its protection in the course of the development or, if appropriate, proposals for its removal and replacement.

Reason: The tree is an important landscape feature within Berkhamsted Conservation Area.



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7. Notwithstanding the details shown on the approved plan, Drawing No. L1655/F00 Revision AB, the bin store in the north eastern corner of the site and coloured brown on the approved plan shall be omitted from the development and an additional bin store shall be provided to the rear of the development in a position to be agreed in writing by the local planning authority prior to the commencement of works.

Reason: To ensure that satisfactory provision is made for the storage and collection of household refuse without the need for refuse collection vehicles to park on Lower Kings Road.

8. Notwithstanding the details shown on the approved plan, Drawing No. L1655/F00 Revision AB, the footpath on the north east side of the shared-surface driveway shall be extended as indicated by the area coloured yellow on that plan.

Reason: To ensure that satisfactory provision is made for the safe movement of pedestrians within the site.

9. No development shall take place until a scheme for surface water drainage works shall have been submitted to and approved in writing by the local planning authority and the approved scheme shall be implemented prior to the first occupation of the development hereby permitted.

Reason: To ensure proper drainage of the site.

10. Notwithstanding the annotations to the approved plans, no work shall be started on the development hereby permitted until details of all materials to be used externally shall have been submitted to and approved by the local planning authority, and the development hereby permitted shall be carried out in the materials so approved.

Reason: To ensure that the materials used are appropriate to Berkhamsted Conservation Area in the interest of the character and appearance of the area and to ensure adequate sound attenuation.

11. Details submitted pursuant to Condition 10 shall include details of roofing materials, facing bricks, detail bricks, bonding and ground surfacing materials for the shared-surface access, footpaths and parking areas.

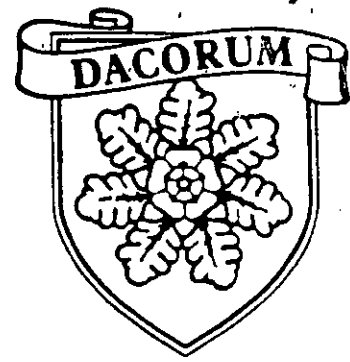
Reason: For the avoidance of doubt.

12. Notwithstanding the details shown on the approved plans no development shall take place until details of the roof ventilators and louvre ventilators proposed shall have been submitted to and approved by the local planning authority and the development shall be carried out in accordance with the details so approved.

Reason: For the avoidance of doubt, and to ensure a satisfactory appearance.

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13. Notwithstanding the details shown on the approved plans no development shall take place until details at a scale of 1:20 of the proposed balconies shall have been submitted to and approved by the local planning authority and the development shall be carried out in accordance with the details so approved.

Reason: For the avoidance of doubt, and to ensure a satisfactory appearance.

14. Notwithstanding the details shown on the approved plans no development shall take place until details of the construction and cladding of the proposed dormer windows shall have been submitted to and approved by the local planning authority and the development shall be carried out in accordance with the details so approved.

Reason: For the avoidance of doubt, and to ensure a satisfactory appearance, and to ensure that the effects of noise from the mainline railway are minimised.

15. No development shall take place until details of all lighting columns, lights and bollards shall have been submitted to and approved by the local planning authority and the development shall be carried out in accordance with the details so approved.

Reason: For the avoidance of doubt, and to ensure a satisfactory appearance.

16. No development shall take place until details at a scale of 1:20 of each type of external window and door shall have been submitted to and approved by the local planning authority and the development shall be carried out in accordance with the details so approved. All external windows to the development hereby permitted shall be painted timber casements and all external doors shall be of painted timber.

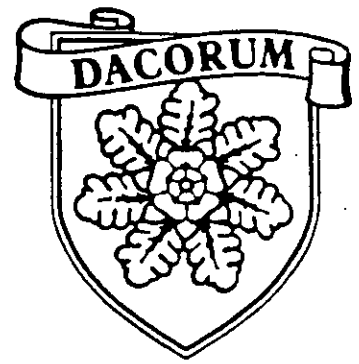
Reason: For the avoidance of doubt, and to ensure a satisfactory appearance.

17. The doors to the garages hereby permitted shall be of a timber construction or such other material as may be agreed in writing by the local planning authority prior to the commencement of work.

Reason: To ensure a satisfactory appearance.

18. The cambered brick arches to the windows shall be constructed traditionally without the use of either a permanent glass-reinforced plastic former or a steel lintol in the outer leaf. The permanent infill between the head of the window and the arch shall be of timber painted to match the casements.

Reason: To ensure a satisfactory appearance.



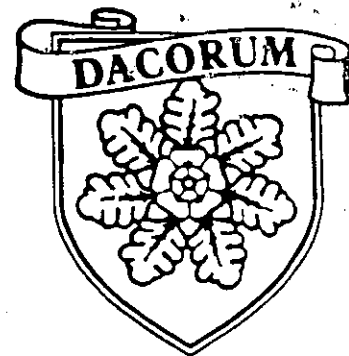
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19. The developer shall construct the crossover to standards set out in the current edition of Hertfordshire County Council's "Roads in Hertfordshire: A Design Guide" and the development shall not be brought into use until the access is so constructed.
- Reason: In the interests of highways safety.
20. Sight lines of 4.5 x 35 metres shall be provided and permanently maintained in each direction within which there shall be no obstruction to visibility between 600 mm and 2.0 m above carriageway level.
- Reason: In the interests of highways safety.
21. The kerb radii of the access shall be 6 m and shall include a pram/wheelchair crossing.
- Reason: In the interests of highways safety.
22. None of the residential flats hereby permitted shall be occupied until the vehicular access, pedestrian accesses, parking and turning facilities shown on the approved plan, Drawing No. L1655/F00 Revision AB shall have been provided.
- Reason: In the interests of highways safety and to ensure that vehicles may enter and leave the site in forward gear.
23. The internal layout of the residential flats hereby permitted shall be as shown on approved drawings Nos. L1655/F01 Revision A, L1655/F02 Revision A, L1655/F03 Revision A, L1655/F04 Revision A, L1655/F05 Revision A, L1655/F06 Revision A and shall not be varied without the prior written approval of the local planning authority.
- Reason: To ensure that the effects of noise from the mainline railway on principal habitable rooms are minimised.
24. The residential block shall be constructed with substantial brickwork/blockwork walls and additional sound insulation shall be provided to the second floor ceilings in the form of 2-layers of double tacked 12.5 mm thick plasterboard laid out to staggered overlaps.
- Reason: To reduce the effects of noise from the mainline railway and to facilitate the achievement of an internal noise level of 30-35 dB LAeq (24hr) approximately.
25. All rooms located on the exposed (north) side of the building shall be fitted with double-glazed outer glazing and inner secondary glazing, the two lines of glass being separated by an air gap of not less than 150 mm.
- Reason: To reduce the effects of noise from the mainline railway and to facilitate the achievement of an internal noise level of 30-35 dB LAeq (24hr) approximately.

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26. All rooms located on the exposed (north) side of the building shall be mechanically ventilated to comply with the requirements of BS 5720: 1979 (Code of Practice for Mechanical Ventilation and Air Conditioning in Buildings) and the ventilation terminals shall be fitted with noise attenuation units.

Reason: To reduce the effects of noise from the mainline railway and to facilitate the achievement of an internal noise level of 30-35 dB LAeq (24hr) approximately.

27. Upon completion of the construction of the residential flats in accordance with the requirements of Conditions 14, 23, 24, 25 and 26, and prior to the first occupation of any flat, the local planning authority shall be afforded the opportunity to carry out sample readings of internal noise levels to ensure that the internal noise levels referred to in the AIRO Technical Report No. WRS/3811 dated 27 January 1994 have been achieved. If the sample readings exceed the specified level then no flat shall be occupied until additional noise attenuation measures have been carried out to the reasonable satisfaction of the local planning authority.

Reason: To reduce the effects of noise from the mainline railway and to facilitate the achievement of an internal noise level of 30-35 dB LAeq (24hr) approximately.

28. The block of residential flats shall be constructed with floors of precast reinforced concrete with grouted joints built into walls. The floors shall be provided with a 75 mm thick floating screed and shall be isolated from the structure by an isolating resilient quilt placed under and at the perimeter of the screed.

Reason: To minimise the probability of adverse comment in respect of vibration in accordance with BS 6472: 1992 (Guide to Evaluation of Human Exposure to Vibration in Buildings)

29. All planting, seeding or turfing comprised in the approved details of landscaping, shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or 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, unless the local planning authority gives written consent to any variation, and for the purposes of this condition a planting season shall be deemed to commence in any one year on 1 October and to end on 31 March in the next following year.

Reason: To maintain and enhance visual amenity.