

Town Planning 4/0112/88

Ref. No.

Other

Ref. No.

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

DACORUM

THE DISTRICT COUNCIL OF

IN THE COUNTY OF HERTFORD

To Benskins Ltd
Benskin House
Station Road
Watford, Herts

City Design Services Ltd
Post Office Chambers
St Nicholas Street
Newcastle Upon Tyne

Erection of 'Late Night Venue' and car parking

at The Railway Hotel, London Road, Boxmoor, 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 the development proposed by you in your application dated 25 January 1988 and received with sufficient particulars on 25 January 1988 and shown on the plan(s) accompanying such application, subject to the following conditions:-

- (1) The development to which this permission relates shall be begun within a period of 5 years commencing on the date of this notice.
- (2) 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 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. The submitted landscaping scheme shall include details of boundary treatment.
- (3) 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 of 31 March in the next following year.

The reasons for the Council's decision to grant permission for the development subject to the above conditions are:—

- (1) To comply with the requirements of Section 41 of the Town & Country Planning Act, 1971.
- (2) To maintain and enhance visual amenity.
- (3) To maintain and enhance visual amenity.
- (4) To ensure that reasonable facilities are made available to record archaeological evidence.
- (5) To ensure satisfactory layout and provision of car parking.
- (6) To ensure an adequate standard of sound attenuation.
- (7) In the interests of highways safety.
- (8) In the interests of highways safety.
- (9) For the avoidance of doubt and to safeguard the character and amenity of the area.

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 Secretary of State for the Environment, Marsham Street, London, S.W.1.) 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, to the provisions of the development order, and to any directions given under the order.

(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 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.

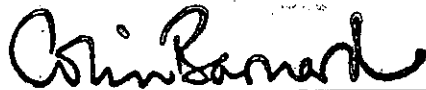
(4) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable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

CONDITIONS (Cont'd) - 4/0112/88

- (4) Prior to the commencement of any development on the site, a timetable shall be agreed and facilities shall be provided for persons nominated by the local planning authority to undertake archaeological excavations and make archaeological records as appropriate.
- (5) The development hereby permitted shall not be commenced until alternative arrangements for vehicle parking shall have been submitted to and approved by the local planning authority. Such arrangements as are approved shall be provided prior to the commencement of the permitted use and shall not be used otherwise than for the purpose approved.
- (6) Before the proposal hereby permitted is commenced, a scheme of noise insulation shall be submitted to and approved by the local planning authority. Such scheme as is approved shall be installed and tested to the satisfaction of the local planning authority before the building is brought into use.
- (7) The access shall include the provision of sight lines of 2.4 m x 90 m with kerb radii of not less than 6 m within which there shall be no obstruction to visibility between the height of 1.05 m and 2 m above carriageway level.
- (8) The development hereby permitted shall not be occupied until the sight lines referred to in condition (7) shall have been provided, and they shall be maintained at all times thereafter.
- (9) Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 the development hereby permitted shall be used as a dance hall/night club and for no other purpose within Class D2 of the Order.

Dated 7th day of April 1988

Signed



CHIEF PLANNING OFFICER