

TOWN AND COUNTRY PLANNING ACT 1990

DACORUM BOROUGH COUNCIL

Application Ref. No. 4/0189/920L

Highland Developments Ltd
Vine House
11 Balfour Mews
LONDON W1Y 5RS

Healey and Baker
29 George Street
LONDON W1A 3BG

DEVELOPMENT ADDRESS AND DESCRIPTION
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Land r/o 208-300 High Street/20-30 Lower Kings Road, Berkhamsted

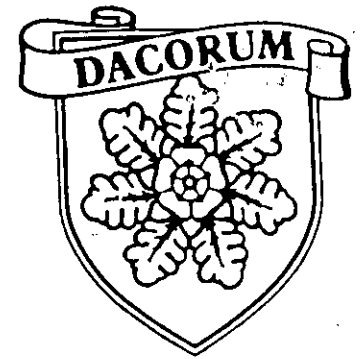
REDEVELOPMENT OF SITE FOR RETAIL FOODSTORE, WITH ASSOCIATED PARKING, LANDSCAPING AND HIGHWAY WORKS

Your application for *outline planning permission* dated 20.02.1992 and received on 20.02.1992 has been **GRANTED**, subject to the conditions set out overleaf.

Director of Planning.

Date of Decision: 21.05.1993

(encs. - Conditions and Notes).



CONDITIONS APPLICABLE
TO APPLICATION: 4/0189/92

Date of Decision: 21.05.1993

1. The development hereby permitted shall not be carried out otherwise than in accordance with detailed plans and drawings showing the siting, design, landscaping and external appearance of the building and means of access thereto which shall have been approved by the local planning authority or in default of agreement by the Secretary of State.

Reason: To comply with the requirements of Article 5 (2) of the Town and Country Planning General Development Orders 1977-85.

2. 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 three years commencing on the date of this notice and the development to which this permission relates shall be begun not later than whichever is the later of the following dates:

(i) The expiration of a period of five years commencing on the date of this notice.

(ii) The expiration of a period of two 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 by the local planning authority or the Secretary of State.

Reason: To comply with the provisions of s.92 of the Town and Country Planning Act 1990.

3. The landscaping details to be submitted in accordance with Condition 1 shall include indications of all existing trees on the land, and details of any to be retained, and details of numbers, species and proposed planting location of all new trees, shrubs and other features.

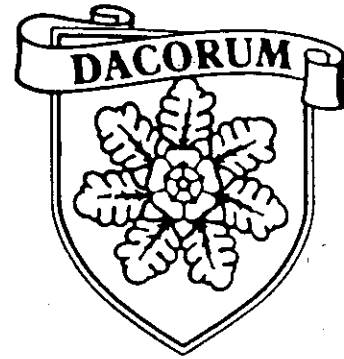
Reason: To ensure a satisfactory development.

4. Details submitted in accordance with Condition 1 shall include provision of lighting to and surfacing materials of the car park and pedestrian routes.

Reason: To ensure a satisfactory development.

5. 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.



6. No development, other than the demolition of existing buildings on the site, shall be commenced in pursuance of the permission hereby granted unless and until the Berkhamsted Bypass (implemented under authorisation granted by the A41 London-Birmingham Trunk Road Order 1990) shall have been completed and available for public use, unless otherwise agreed in writing by the local planning authority in consultation with the relevant Highway Authority.

Reason: To avoid any adverse impact on the safety and free flow of traffic along the existing A41 trunk road.

7. Facilities shall be made available on site for wheel washing of vehicles leaving the site at all times whilst construction works are carried out and to the satisfaction of the local planning authority.

Reason: In the interests of public and highway safety.

8. Details submitted in accordance with Condition 1 of this permission shall include detailed proposals for vehicle parking within the site in accordance with standards adopted by the local planning authority.

Reason: To ensure the adequate and satisfactory provision of off-street vehicle parking facilities.

9. A total of 310 car parking spaces shall be provided and maintained in a usable condition and made available for use at all times during the period of construction.

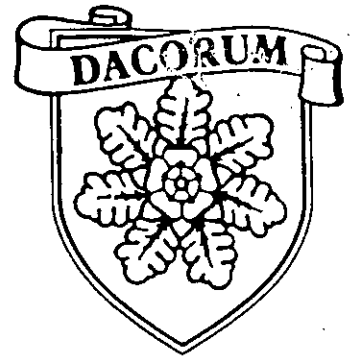
Reason: In order to limit impact of the period of construction of the development on parking facilities in the area and on general highway safety.

10. There shall be no storage of goods, containers, waste or rubbish otherwise than in an enclosed building or properly constructed refuse storage compound. Any compactor unit provided shall be enclosed within a permanent walled and roofed structure. No trolleys shall be stored otherwise than within the building, under any canopy area of the building or within designated storage areas within the site in accordance with a scheme which shall be submitted to and approved by the local planning authority before any development takes place on site.

Reason: In the interests of amenity.

11. Any service yard provided in connection with the loading and unloading of vehicles shall be enclosed by walls and gates or by such other means as may be approved in writing by the local planning authority.

Reason: In the interests of amenity.



12. Details submitted in accordance with Condition 1 of this permission shall include details of sound insulation work required to reduce noise emission from any heating, refrigeration or ventilation plant, air conditioning or compactor unit, and the development shall be carried out in accordance with the details as so approved.

Reason: In the interests of amenity.

13. The retail supermarket hereby permitted shall not exceed a total floor space of 3,344 sq m (measured externally).

Reason: To ensure a satisfactory development.

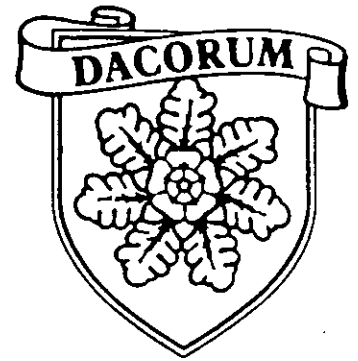
14. Not less than 80% of the net retail floor space of the retail supermarket hereby permitted shall be used for convenience goods sales which for the purposes of this condition shall be deemed to comprise food, alcoholic and other drinks, tobacco and other goods (ie newspapers, magazines, soap, matches and cleaning materials, pharmaceutical and toiletries and small electrical products such as light bulbs and plugs, not being electrical appliances, cut flowers and potted plants). The following goods shall not be sold from the store: clothing; motorised vehicles; caravans; power boats and sailing craft; motor vehicle accessories; bulk building materials; DIY building products; furniture and soft furnishings; gardening products; carpets and flooring materials; electrical appliances and toys. For the purpose of this condition, the net retail floor space shall comprise the gross internal area of the supermarket used for the display of goods (including all counters, gondolas and other display units, bakers, delicatessen and any food preparation areas directly associated with sales) and all associated aisles and other areas to which the public have access, but excluding:

- (a) customer toilets and customer relations areas;
- (b) any concourse or lobby area;
- (c) trolley storage areas; and
- (d) tills and payment points and passageways to exits.

Reason: In order to retain adequate food retailing facilities in Berkhamsted Town Centre.

15. No work shall be started on any part of the development hereby permitted until either:

- (a) there has been submitted to the local planning authority evidence that there is no contamination of land or ground water or presence of landfill gas anywhere within the site, and the local planning authority have confirmed in writing that such evidence as submitted is acceptable; or



- (b) a scheme has been submitted to and approved by the local planning authority indicating the extent of contamination of the land and/or ground water and/or presence of landfill gas within the site and the means by which such contamination and/or gases are to be controlled or removed, and no part of the development shall be carried out except in accordance with the details of the scheme as so approved.

Reason: To ensure that development of the site can proceed safely.

16. No work shall be commenced on the development hereby permitted, with the exception of infrastructure works, until all the 'reserved matters' shall have been approved by the local planning authority. For the purposes of this permission, the infrastructure works shall comprise:

- (a) ground treatment and measures for control or disposal of chemical contamination and treatment of other noxious materials/gases;
- (b) drainage works, with the exception of drainage connections to individual sites and buildings;
- (c) diversion of services other than drainage;
- (d) demolition of existing buildings, site strip and levelling of land.

Reason: To ensure the proper and orderly development of the site.

17. Before the development hereby permitted is brought into use, an access strip adjacent to the River Bulbourne shall be provided and thereafter maintained in accordance with details that shall previously have been provided to and approved in writing by the local planning authority in consultation with the National Rivers Authority.

Reason: To retain access to the watercourse for the National Rivers Authority to carry out its functions and maintain visual appearance of the area.

18. Surface water run off from the car park and roof of the building hereby permitted shall be accommodated via interceptors prior to discharge to the natural drainage system, in accordance with details which shall be provided to and approved in writing by the local planning authority in consultation with the National Rivers Authority before the development hereby permitted is brought into use.

Reason: To prevent pollution of groundwater.

19. No sewage or trade effluent, including cooling water containing chemical additives, or vehicle washing water (including steam cleaning effluent) shall be discharged to the surface water drainage system.

Reason: To prevent pollution of the water environment.



20. Vehicle loading or unloading bays and storage areas involving chemicals, refuse or other polluted matter shall not be connected to the surface water drainage system.

Reason: To prevent pollution of the water environment.

21. Pedestrian access to Lower Kings Road and High Street from the car park shall be maintained and remain unobstructed during the period of construction.

Reason: To retain pedestrian access from the car park to the High Street.

22. The building hereby permitted shall not be brought into use until the widening of St John's Well Lane and the improvement of the junction of St John's Well Lane with the High Street shall have been completed.

Reason: To ensure a safe and adequate means of access to the development.