

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

MR

THE DISTRICT COUNCIL OF DACORUM

IN THE COUNTY OF HERTFORD

To **Eagle Star Properties Limited**
22 Arlington Street
London SW1A 1RN**Sheppard Robson**
77 Parkway
Camden Town
London NW1 7PU**Shopping Centre, Car Parking & Access Road (Outline)**at **BP House, Harlowes/Leighton Buzzard Road,**
Hemel HempsteadBrief
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 Order, 1977, as amended, the development proposed by you in your outline application dated **11.3.87** and received with sufficient particulars on **11.3.87** 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.

/cont ..

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, as amended.
2. To comply with the requirements of Section 42 of the Town and Country Planning Act, 1971.
3. To ensure proper development of the site and in the interests of amenity.
4. To maintain and enhance visual amenity
5. To maintain and enhance visual amenity
6. In the interests of highways safety
7. In the interests of highway safety
8. In the interests of public amenity
9. To ensure proper development of the site and in the interests of amenity
10. To ensure proper development of the site and in the interests of amenity
11. To ensure that reasonable facilities are made available to record archeological evidence
12. To enable the local planning authority to maintain control of this aspect of the development
13. In the interests of highways safety.
14. " " 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.

3. Details submitted in accordance with Condition 1 shall include:-
- (a) Before the commencement of development the details specified hereunder shall be submitted to and approved by the local planning authority:-
 - (i) plans and elevations to a scale of 1/200 or greater of all parts of the development
 - (ii) the proposals for severance, alterations etc. of existing sewers and for the discharge of all sewage, drainage and trade effluent
 - (iii) measures for the avoidance of pollution and for the disposal of surface water
 - (iv) details of enclosure of proposed electricity sub-stations
 - (v) details of waste disposal facilities to include the provision of compactor units
 - (b) During the progress of the development and at the appropriate times, from time to time, the details specified hereunder shall be submitted to and approved by the local planning authority:-
 - (i) samples of the finishing materials of all parts of the development
 - (ii) in hard surfaces of the development including access roads and all associated footpaths
 - (iii) the proposals for the entry/exit arrangements including details of facilities catering for the needs of the disabled
 - (iv) details of sound insulation work required to reduce emissions from any heating, refrigeration or ventilation plant or compactor units
 - (v) details of the sound insulation material to enclose any fixed plant, including ventilation and refrigeration plant, in accordance with a scheme to be agreed in writing with the local planning authority, which material shall then be fixed as so agreed
 - (vi) an adequate signage system within the car parks and controls relating thereto
4. 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 details of numbers, species and proposed planting location of all new trees, shrubs and hedgerows. Details submitted shall relate to both soft and hard landscaping proposals.
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 five 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. 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.

6. The servicing facilities shown on drawing No. 1093/OP/05A hereby approved shall be used solely for the standing and manoeuvring of vehicles delivering to or collecting from the development and for no other purposes.
7. Any areas marked on the approved drawings as "service bay" shall not be used for any purposes other than the loading and unloading of goods vehicles and no storage of goods or refuse shall take place within the areas other than in the case of refuse, storage in containers or compactors within the buildings. The type and location of such containers or compactors to be agreed with the local planning authority.
8. During construction of the development no driven piling shall be undertaken between the hours of 6.00 pm and 7.30 am on Mondays to Fridays, and at no time whatsoever on Saturdays, Sundays and Bank Holidays. The approval of the planning authority shall be obtained to the method of piling to be adopted to ensure the minimum disturbance to adjoining occupiers.
9. Prior to the installation of any odour emitting ventilation system within the development, full details of extraction, filtration and de-odourisation equipment and points of discharge shall be submitted to and agreed by the local planning authority.
10. Before any ventilation or air conditioning plant or equipment is installed on the premises, details of measures to prevent airborne transmission of toxic or pathogenic agents shall be submitted to and approved by the local planning authority.
11. Advance notice of the start of site clearance and the excavation of ground works shall be given to the local planning authority and access allowed at all reasonable times to any person(s) nominated by that authority to observe the works and record any archaeological material that may be exposed.
12. No barriers, gates or ticket machines shall be provided at the entrances to and exits from the car park without the prior approval of the local planning authority other than barriers or gates preventing pedestrian access from the car park to the shopping areas.

13. Automatic vehicle counters shall be provided at the entrances and exits of the car park and these shall be linked to signs which are to be provided at the entrances to the car park to indicate when the car park is full.
14. No development or excavation (other than the placement of piles and associated site clearance work) shall be commenced until all statutory approvals to orders relating to the permanent stopping up diversion or alteration of any highway affected by the development shall have been obtained.

Dated 6th day of September 19.8.8

Signed *Chin Bamar*

Designation CHIEF PLANNING OFFICER

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IN THE COUNTY OF HERTFORD

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Dated 6th day of September 19.88

Signed *Colin Barnard*

Designation CHIEF PLANNING OFFICER