

Town Planning

Ref. No. .... 4/0414/85 .....

## TOWN &amp; COUNTRY PLANNING ACTS, 1971 and 1972

Other

Ref. No. ....

THE DISTRICT COUNCIL OF

DACORUM

IN THE COUNTY OF HERTFORD

To Mr D S Morgan-Fisher  
41 Lower Road  
Denham  
Bucks

..... Change of use ground floor restaurant and formation ...  
..... of car park .....  
at ... 49 High Street, Bovington .....  
.....

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 ..... and received with sufficient particulars on ..... 9th April 1985 (Amended 14.5.85 & 30.5.85) ..... 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) The restaurant hereby permitted shall not be open otherwise than during the following periods:-
  - (a) 1200 to 1430 hours (no customer to remain on the premises between 1530 and 1830 hours Monday to Saturday and after 1530 hours on Sundays, and
  - (b) 1830 hours to 2300 hours Monday to Saturday (no customer to remain on the premises after 2400 hours).
- (3) Before the use hereby permitted is occupied, the car parking spaces indicated on plan 4/0414/85 (received by the local planning authority on 30th May 1985) shall be properly surfaced and thereafter maintained for the benefit of staff and customers.

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 avoid operating within unsocial hours to the detriment of residential amenity.
- (3) To ensure the adequate and satisfactory provision of off street car parking facilities.
- (4) In the interests of visual amenity.
- (5) To ensure the adequate and satisfactory provision of off street car parking facilities.
- (6) To safeguard the character and amenity of the area.
- (7) To safeguard the residential amenity of the area.

Dated..... 6th ..... day of ..... June ..... 19 85

Signed.....

Designation CHIEF PLANNING OFFICER

#### 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) The landscaping scheme shown on plan no 4/0414/85 shall be implemented strictly in accordance with the approved details in the first planting season following first rateable occupation of the development hereby permitted and maintained at all times thereafter to the reasonable satisfaction of the local planning authority.
- (5) Before the development hereby permitted is occupied, the buildings hatched orange on plan No 4/0414/85 shall be demolished and all materials removed from the site to facilitate the car parking, access and visibility to be provided in accordance with the approved plans.
- (6) The use hereby permitted shall extend to that of a restaurant only, and meals shall not be provided otherwise than for consumption on the premises.
- (7) The refuse store shown on plan no 4/0414/85 shall be provided upon occupation of the restaurant hereby permitted.

Signed



Dated 6th June 1985

CHIEF PLANNING OFFICER