

TOWN AND COUNTRY PLANNING ACT 1990

DACORUM BOROUGH COUNCIL

Application Ref. No. 4/0505/94

P B H Properties Ltd
1 Redcliffe Street
Bristol

Aitchisons
63 Marlowes
Hemel Hempstead
Herts

DEVELOPMENT ADDRESS AND DESCRIPTION
=====

Ex Mill House, London Road, Hemel Hempstead

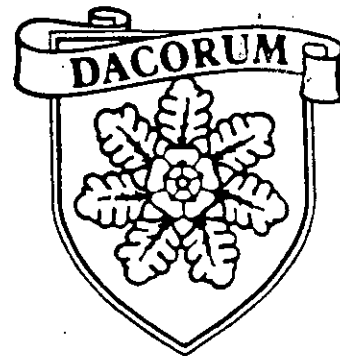
OFFICE DEVELOPMENT (OUTLINE)

Your application for *outline planning permission* dated 04.04.1994 and received on 15.04.1994 has been **GRANTED**, subject to any conditions set out on the attached sheet(s).

Director of Planning.

Date of Decision: 01.07.1994

(encs. - Conditions and Notes).



CONDITIONS APPLICABLE
TO APPLICATION: 4/0505/94

Date of Decision: 01.07.1994

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(s) 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: In the interests of highways safety.

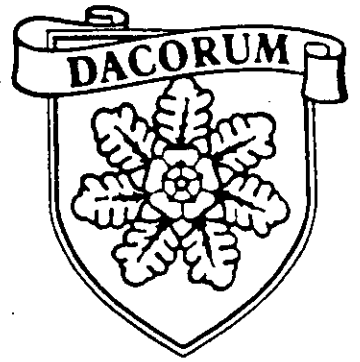
3. Details submitted in accordance with condition 1 hereof shall include:-

- (a) a survey of the site including levels and natural features;
- (b) boundary treatment;
- (c) construction of drains and sewers;
- (d) a tree survey of the site recording the species, height, crownsread, bole diameter, age and condition of all the trees, and the height and spread of all the hedgerows located on the site, indicating those trees and hedges which it is proposed to remove.

Reason: To ensure a satisfactory development.

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.



CONDITIONS APPLICABLE
TO APPLICATION: 4/0505/94

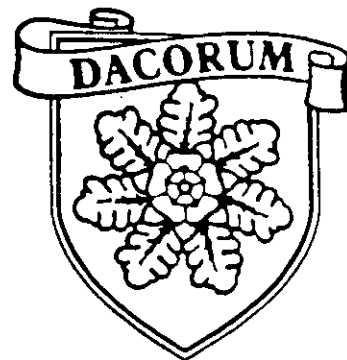
Date of Decision: 01.07.1994

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. Before the development commences, a scheme for protecting the proposed offices from external noise and vibration shall be submitted to and approved by the local planning authority.

Reason: To ensure a satisfactory development.



TOWN AND COUNTRY PLANNING ACT 1990

SECTION 191

as amended by section 10 of the
Planning and Compensation Act 1991

**TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT
ORDER 1988**

ARTICLE 26A

CERTIFICATE OF LAWFUL USE OR DEVELOPMENT

The Dacorum Borough Council hereby certify that on 12 April 1994 the uses described in the First Schedule hereto in respect of the land and buildings specified in the Second Schedule hereto and situated within the area of land edged red on Dwg No BRO/DECL/2 attached to this certificate were lawful within the meaning of section 191 of the Town and Country Planning Act 1990 (as amended), for the following reason:

The uses referred to at recitals 1(a), 1(b), 1(c) and 1(d) of the First Schedule are lawful within the meaning of section 191(2)(a) of the Town and Country Planning Act 1990 because they have been in existence for more than ten years and the time for enforcement action has therefore expired.

Signed:

Director of Planning

On behalf of Dacorum Borough Council

Date: 15 September 1994

Reference: 4/0506/94LD

FIRST SCHEDULE

- 1(a) The use of the part of the building coloured aquamarine on Dwg No BRO/DECL/1 (attached to this Certificate) for the predominantly non-commercial storage of motor vehicles and machinery unrelated to the agricultural use of the land at Brown's Spring Farm and the occasional storage of motor vehicles in association with the vehicle repair and maintenance use referred to at recital 1(b).
- 1(b) The use of the part of the building coloured pink on Dwg No BRO/DECL/1 (attached to this Certificate) for the repair and maintenance of vehicles, utilising one vehicle ramp/hydraulic lift, one paint-spray workshop and additional diagnostic and repair equipment, such use being carried on at the following times:
- | | | |
|--------------------|---|--|
| Mondays to Fridays | : | 10 hours per day between 8 am and 9 pm |
| Saturdays | : | 5 hours per day between 9 am and 4 pm |
| Sundays: | : | occasional use for 3 hours per day between 9 am and 1 pm |
- 1(c) The use of that part of the yard area shown hatched black on Dwg No BRO/DECL/1 (attached to this Certificate) for the parking of vehicles in association with the vehicle repair and maintenance use referred to in recital 1(b).
- 1(d) The use of those buildings, and parts of buildings, shown coloured blue on Dwg No BRO/DECL/1 (attached to this Certificate) for the storage of non-agricultural goods and materials, comprising a storage use within the meaning of Class B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, as amended.

SECOND SCHEDULE

The buildings and parts of buildings coloured aquamarine, pink and blue and the yard area hatched black on Dwg No BRO/DECL/1 attached to this Certificate within the area edged red on Dwg No BRO/DECL/2 and forming part of the holding known as Brown's Spring Farm, Plough Lane, Potten End, Hertfordshire.

Notes

1. This certificate is issued solely for the purpose of section 191 of the Town and Country Planning Act 1990 (as amended).
2. It certifies that the uses specified in the First Schedule taking place on the land described in the Second Schedule were lawful, on the specified date and, thus, were not liable to enforcement action under section 172 of the 1990 Act on that date.
3. This certificate applies only to the extent of the uses described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plans. Any use which is materially different from those described or which relates to other land may render the owner or occupier liable to enforcement action.
4. The effect of the certificate is also qualified by the proviso in section 192(4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.