

Town Planning

Ref. No. 4/0697/90

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Other

Ref. No.

THE DISTRICT COUNCIL OF **DACORUM**

IN THE COUNTY OF HERTFORD

To

N Russo Esq
1 Holywell Road
Studham
Beds

Leslie Gear and Associates
The Studio
Common Road
Studham
Beds LU6 2NQ

..... Change of use from fish and chip shop, flat and ...
..... house to fish and chip shop, two shops and three
..... flats; formation of new car park
at 55 - 57 High Street, Markyate, Herts.
.....

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 **30 April 1990**
and received with sufficient particulars on **2 May 1990**
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 development hereby permitted shall not be occupied until the car parking and servicing area shown on the approved plans have been constructed and hard surfaced. The car parking and servicing areas shall be retained for use at all times.
- (3) No work shall be started on the development hereby permitted until details of materials to be used externally shall have been submitted to and approved by the local planning authority, and the development hereby permitted shall be carried out in the materials so approved.

Cont.

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 ensure the provision of satisfactory off-street parking and servicing facilities.
- (3) To ensure the use of materials appropriate to the Conservation Area.
- (4) To ensure the use of materials appropriate to the Conservation Area.
- (5) To ensure the use of materials appropriate to the Conservation Area.
- (6) To ensure satisfactory sound insulation.
- (7) To ensure satisfactory sound insulation.
- (8) To ensure satisfactory sound insulation.
- (9) To maintain and enhance visual amenity.
- (10) To maintain and enhance visual amenity.

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.

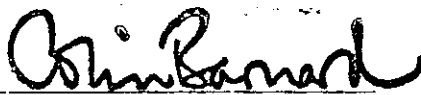
(4) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable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

- (4) All new and replacement windows shall be of painted timber and where indicated on the approved plans shall be sash windows.
- (5) No work shall be started on the development hereby permitted until details of materials to be used for the surfacing of the car parking and servicing areas shall have been submitted to and approved by the local planning authority and the development shall be carried out in the materials so approved.
- (6) Before development commences the applicant shall submit to the local planning authority an assessment of the adequacy of the existing party walls (including those in the roof space) to provide resistance to the passage of airborne and structural borne sound between the proposed flats and shops. The report shall take into account:
 - (a) the presence or otherwise of airborne sound paths;
 - (b) the presence or otherwise of flanking transmission paths for sound;
 - (c) the density mass and thickness of separating walls, and
 - (d) the presence of any other features likely to reduce the acoustic insulation performance of the party wall such as inbuilding of joist ends.
- (7) No development shall take place until there has been submitted to and approved by the local planning authority a scheme of sound insulation which shall include the measures that the assessment referred to in Condition (6) indicates are necessary to ensure the adequacy of sound insulation between separate units within the proposed development and between the development and adjoining property.
- (8) Any such scheme as may be agreed by the local planning authority under Condition (7) shall be carried out prior to occupation of the proposed flats.
- (9) 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.
- (10) 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

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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.

Dated 6 September 1990

Signed 

Designation Director of Planning