



TOWN AND COUNTRY PLANNING ACT 1990

DACORUM BOROUGH COUNCIL

Application Ref. No. 4/0729/94

D Edward King Partnership
Kensington Studios
Kensington Street
Brighton BN1 4AJ

DEVELOPMENT ADDRESS AND DESCRIPTION
=====

131 Marlowes, Hemel Hempstead, Herts

CHANGE OF USE SHOP (A1) TO RESTAURANT (A3)

Your application for *full planning permission* dated 26.05.1994 and received on 01.06.1994 has been *GRANTED*, subject to any conditions set out on the attached sheet(s).

Director of Planning.

Date of Decision: 25.07.1994

(encs. - Conditions and Notes).



CONDITIONS APPLICABLE
TO APPLICATION: 4/0729/94

Date of Decision: 25.07.1994

1. The development to which this permission relates shall be begun within a period of five years commencing on the date of this notice.

Reason: To comply with the provisions of s.91 of the Town and Country Planning Act 1990

2. The premises shall not be open for trade outside the hours of 07.30 and 23.00 Mondays to Saturdays and 09.00 and 23.00 on Sundays.

Reason: To permanently safeguard the residential amenity of nearby residential properties.

3. The use hereby permitted shall not be commenced until a scheme for ventilation and extraction of the premises shall have been submitted to and approved by the local planning authority; the approved scheme shall be installed prior to the use being commenced and thereafter shall be permanently retained.

Reason: To permanently safeguard the residential amenity of nearby residential properties in order to prevent smell nuisance.

4. The scheme installed under Condition 3 shall not feature any pipe work or ducting affixed to the walls of the residential properties located above the shopping parade.

Reason: a) To permanently safeguard the residential amenity of nearby residential properties and the visual amenity of the locality. b) The local planning authority is of the opinion that a ventilation/extraction system serving the use can be installed which can obviate the need for the use of pipework/ducting affixed to the walls of the residential properties located above the shopping parade.

5. Before the use hereby permitted commences, the applicant shall submit to the local planning authority an assessment of the adequacy of the construction of the building to provide resistance to the passage of airborne and structure borne sound. 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 transmission;
- c) the density, mass and thickness of separating walls;
- d) the presence of any other features likely to reduce the acoustic insulation performance of the building.

Reason: To permanently safeguard the residential amenity of nearby residential properties by preventing noise transmission.



CONDITIONS APPLICABLE
TO APPLICATION: 4/0729/94

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6. The use hereby permitted shall not be commenced until there has been submitted to, and approved by, the local planning authority a scheme of sound insulation which shall incorporate any measures that the assessment referred to in Condition 5 above indicates are necessary to ensure the adequacy of the construction of the building to provide resistance to the passage of airborne and structure borne sound. Any such scheme as may be agreed by the local planning authority under this condition shall be carried out before the use hereby permitted is commenced.

Reason: To permanently safeguard the residential amenity of nearby residential properties by preventing noise transmission.

7. This permission does not relate to the internal layout shown on Drawing No. 940402/02.

Reason: For the avoidance of doubt as the internal layout will need to satisfy Building Regulations; for which an application has neither been sought or approved, notwithstanding that there is no objection in principle to the use under this legislation.