

TOWN AND COUNTRY PLANNING ACT 1990

DACORUM BOROUGH COUNCIL

Application Ref. No. 4/0988/93

David Newton
Monkham House
Exford
Nr. Minehead
Somerset
TA24 7NA

DEVELOPMENT ADDRESS AND DESCRIPTION
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Sunderlands Yard, Church Lane, Kings Langley, Herts

4 INDUSTRIAL/WAREHOUSE UNITS ACCESS & ASSOCIATED PARKING (RESUBMISSION)

Your application for *full planning permission* dated 14.07.1993 and received on 16.07.1993 has been **GRANTED**, subject to any conditions set out on the attached sheet(s).

Director of Planning.

Date of Decision: 17.01.1994

(encs. - Conditions and Notes).



CONDITIONS APPLICABLE
TO APPLICATION: 4/0988/93

Date of Decision: 17.01.1994

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. No work shall be started on the development hereby permitted until details of materials to be used externally for all the units and for the re-surfacing of the accessway/roadway between Points 'A' and 'B' on Drawing No. 217/01/B 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.

Reason: In the interests of the appearance of the development within the locality.

3. Units 1 and 2 shall not be brought into use until the following have been demarcated on the site fully in accordance with Drawing No. 217/01/B:-

a) the parking spaces and associated manoeuvring areas as hatched yellow on the drawing and,

b) the access facility and parking spaces hatched brown on this drawing.

Reason: a) Following the refusal of application 4/1360/92, the local planning authority entered into extensive dialogue with the applicant's agent with a view to resolving the problems associated with the refusal. Although the layout does not represent a comprehensive redevelopment of the site, the details shown on Drawing No. 217/01/B do satisfy the local planning authority's parking, access and servicing requirements in respect of serving the respective new units. This requirement involves the provision of additional parking facilities to serve the respective units and the improvement to the existing infrastructure, as specified by this condition, reinforcing the content of the report to the Council's Development Control Committee and the letter received from the agent on 6th January 1994.

b) For the avoidance of doubt.

4. Units 3 and 4 shall not be brought into use until the following have been demarcated on the site fully in accordance with Drawing No. 217/01/B:-

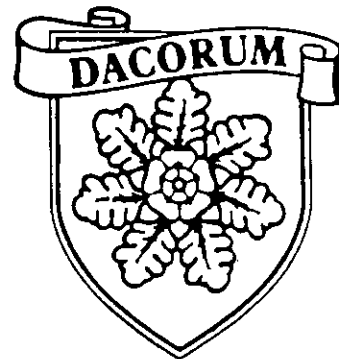
a) the parking spaces and associated manoeuvring areas as hatched green on this drawing and,

b) the access facility and parking spaces hatched green and brown on this drawing.

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CONDITIONS APPLICABLE
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4. Reason: a) Following the refusal of application 4/1360/92, the local planning authority entered into extensive dialogue with the applicant's agent with a view to resolving the problems associated with the refusal. Although the layout does not represent a comprehensive redevelopment of the site, the details shown on Drawing No. 217/01/B do satisfy the local planning authority's parking, access and servicing requirements in respect of serving the respective new units. This requirement involves the provision of additional parking facilities to serve the respective units and the improvement to the existing infrastructure, as specified by this condition, reinforcing the content of the report to the Council's Development Control Committee and the letter received from the agent on 6th January 1994.
- b) For the avoidance of doubt.

5. This permission does not extend to the provision of the parking spaces coloured yellow on Drawing No. 217/01/B which are intended to serve Units 3 and 4 and before these units are brought into use a scheme shall be submitted to and approved by the local planning authority showing the position of these two spaces to the south of the turning head which shall be provided at all times to serve Units 3 and 4, but not within the area hatched purple.

Reason: a) The National Rivers Authority's letter dated 4 October 93 to Dacorum Borough confirms that the two parking spaces coloured yellow are unacceptably close to the top of the bank of the River Gade. Subject to the deletion or relocation of the two spaces the National Rivers Authority is notified that the development is acceptable (subject to other conditions).

b) There is a need to provide the two spaces elsewhere on the site to satisfy the Council's parking requirements to serve Units 3 and 4.

c) The National Rivers Authority's letter dated 4/10/93 specifies that despite the relaxation of its original advice objecting to the development (letter dated 6/8/93), it requires an 8m safeguarding strip of land. Development within this strip will prejudice the flood defence interests and environmental obligations of the National Rivers Authority, and restrict necessary access to the watercourse for the National Rivers authority to carry out its functions.

6. Following the provision of the parking spaces in accordance with Conditions 3,4 and 5, they shall not be used for any purpose other than the parking of vehicles.

Reason: a) To ensure that all the parking spaces demarcated on Drawing No. 217/01/B and subject to the respective conditions are provided permanently for the approved purposes, in accordance with the dialogue associated with the processing of this application following the refusal of Application 4/1360/92, the content of the report to the Development Control Committee, the requirements of King's Langley Parish Council and associated correspondence.

b) The use of the demarcated spaces for other purposes such as open storage would be contrary to the Council's approach to the redevelopment of the site and not in the interests of the residential and visual amenity of the locality.

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CONDITIONS APPLICABLE
TO APPLICATION: 4/0988/93

Date of Decision: 17.01.1994

7. No solid matter shall be deposited so that it passes or is likely to pass into any watercourse.

Reason: To prevent pollution of the water environment.

8. No soakways shall be constructed within the areas edged blue and red on Drawing No. 217/01/B such that they penetrate the water table, and shall not in any event exceed 2 metres in depth below existing ground level.

Reason: a) To prevent pollution of groundwater.

b) The site has for many years been used for commercial purposes and consequently there is some likelihood that the land might be contaminated which will need to be investigated through a site investigation and assessment prior to the commencement of development and reported to the Council in accordance with DoE Circular 21/87.

9. The buildings and associated parking spaces subject to conditions 3 and 4 above hereby permitted shall only be used for the approved purposes between the hours of 7am and 7pm Mondays to Fridays, 7am and 1pm on Saturdays and at no time on Sundays or public holidays, unless otherwise agreed in writing by the local planning authority.

Reason: In order to safeguard the residential amenity of the locality which features housing nearby.

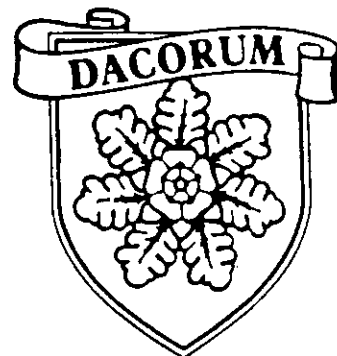
10. Noise emitted from the buildings shall not exceed 59 dB(A) Leq (15min), as measured from points along the red edged boundary shown on Drawing No. 217/01/B, between 7am and 7pm Monday to Friday and 7am and 1pm on Saturdays and if any other times of use are agreed by the local planning authority, the noise boundary level as measured from points along the red edged boundary on Drawing No. 217/01/B shall be 44 dB(A) Leq.

Reason: In order to safeguard the residential amenity of the locality which features housing nearby.

11. The buildings hereby permitted shall only be used for purposes specified under Classes B1, B2 and B8 of the Town and Country Planning (Use Classes) Order 1987, as amended by the Town and Country Planning (Use Classes) (Amendment) (No. 2) Order 1992 and there shall be no internal alterations to form a mezzanine floor within any of the units hereby permitted, unless otherwise approved in writing by the local planning authority.

Reason: For the avoidance of doubt and in order to ensure that at all times the respective units are served by adequate parking and servicing facilities, taking into account that the local planning authority previously refused development at the site under planning refusal 4/1360/92 which specifically related to the inadequacy of the parking and servicing arrangements.

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CONDITIONS APPLICABLE
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12. 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 vegetation within the area edged red on Drawing No. 217/01/B.

Reason: The planting of a landscaped buffer between the site and the River Gade forms an integral part of the redevelopment of part of Sunderlands Yard, as shown on Drawing No. 217/01/B in the interests of the appearance of the locality.

13. 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 any of the Units unless otherwise agreed in writing by the local planning authority and any trees or plants, which within a period of five years from the completion of the development within the area edged red on Drawing No. 217/01/B, 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.

Reason: The planting of a landscaped buffer between the site and the River Gade forms an integral part of the redevelopment of part of Sunderlands Yard, as shown on Drawing No. 217/01/B in the interests of the appearance of the locality.

14. Notwithstanding the details shown on Drawing No. 217/01/B, development within the areas edged red and blue shall not be commenced until Thames Water Utilities have given their necessary technical approval and details shall be submitted to and approved by the local planning authority, including any required changes to the layout shown on Drawing No. 217/01/B to the access and parking arrangements, as a consequence of Thames Water Utilities approval.

Reason: Notwithstanding that Thames Water Utilities raises no objection to the development in its letter dated 29th September 1993 to Green Moore Lowenloft Ltd, it specifies several requirements which need to be satisfied in the development. In view of the content of this letter, these requirements are likely to affect the site layout. In order to ensure that the Council's parking and servicing standards are fully satisfied, the local planning authority will need to ensure that any necessary changes to the layout in terms of access, parking and servicing facilities are carefully assessed. This will take into account the refusal of application 4/1360/92.