

TOWN AND COUNTRY PLANNING ACT 1990

DACORUM BOROUGH COUNCIL

Application Ref. No. 4/1036/95

Mr A H Uddin
5 Avondale Road
Luton
Beds

Mr Collins of Barratts
328 Barnacres Road
Hemel Hempstead
Herts
HP3 8JS

DEVELOPMENT ADDRESS AND DESCRIPTION
=====

2 Rossgate, Gadebridge, Hemel Hempstead

CHANGE OF USE SHOP (A1) TO RESTAURANT/TAKE AWAY (A3)

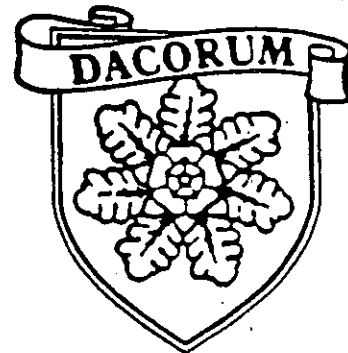
Your application for *full planning permission* dated 14.08.1995 and received on 14.08.1995 has been **GRANTED**, subject to any conditions set out on the attached sheets.

Director of Planning.

Date of Decision: 12.12.1995

(encs. - Conditions and Notes).





CONDITIONS APPLICABLE
TO APPLICATION: 4/1036/95

Date of Decision: 12.12.1995

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 to customers outside the hours of 1200 to 1430 and 1800 to 2300 each day.

Reason: To safeguard permanently the residential amenity of the locality and to accord with the applicant's requirements.

3. Notwithstanding the details shown on Drawing No. 579:01, the use hereby permitted shall not be commenced until the ventilation and extraction system is installed in accordance with all the details shown on Drawing No. 578:01(a) received by the local planning authority on 6 December 1995, and thereafter the system shall be permanently retained and maintained at the site.

Reason: (a) To safeguard the residential amenity of the locality.

(b) For the avoidance of doubt.

4. Notwithstanding the requirements of Condition 3, the details of the oven type shall be agreed in writing by the local planning authority prior to the commencement of the use.

Reason: (a) To safeguard the residential amenity of the locality.

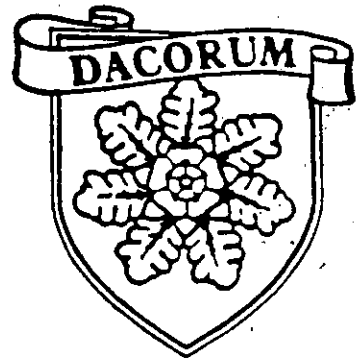
(b) For the avoidance of doubt.

5. Within 12 months of the date when the approved ventilation and extraction system is brought into use, a statement shall be submitted to the local planning authority detailing how the system has operated during this period: if, after this period, the local planning authority is of the opinion that additional measures to mitigate against smell nuisance are necessary, an activated carbon filtration system shall be installed in accordance with a scheme to be agreed in writing by the local planning authority and, thereafter, this filtration system shall be permanently retained and maintained at the site.

Reason: Based upon the information available, the local planning authority is satisfied that the approved system is the most appropriate for the use to mitigate against smell nuisance. Notwithstanding this, in the long term interests of safeguarding the residential amenity of the area, the use of a carbon (activated) filtration system may be necessary should smells emanate from the premises which, despite the technical information provided, are detrimental to the residential amenity of the locality.

/Continued...





CONDITIONS APPLICABLE
TO APPLICATION: 4/1036/95

Date of Decision: 12.12.1995

6. The use hereby permitted shall not be commenced until there has been submitted to and approved by the local planning authority an acoustic assessment of the adequacy of existing party walls and roof construction to provide resistance to the passage of airborne and structure borne sound between the application premises and the adjoining dwelling. If this assessment indicates that additional sound insulation is necessary, a scheme of sound insulation shall be submitted to and approved by the local planning authority prior to the commencement of the use hereby permitted and the use shall not take place unless the approved scheme is carried out and thereafter permanently retained.

Reason: To safeguard permanently the residential amenity of No. 34 Rossgate, Hemel Hempstead.

