

Town Planning

Ref. No. 4/1346/84

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Other

Ref. No.

THE DISTRICT COUNCIL OF DACORUM.....
 IN THE COUNTY OF HERTFORD

To Herald Leisure Group,
 c/o 87 St. John's Road,
 Hemel Hempstead,
 Herts.

D. Clarke, Esq.,
 47 Gravel Lane,
 Hemel Hempstead,
 Herts.

..... Use of shop for restaurant and sale of hot food

 at Unit. 7. Henry. Wells. Square/Aycliffe Drive,
 Hemel Hempstead, 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 10th October 1984 and received with sufficient particulars on 11th October 1984 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.

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.

Dated.....29th.....day of.....November.....19 84

Signed..........

Designation.....Chief Planning Officer.

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.

4/1346/84. USE OF SHOP FOR RESTAURANT AND SALE OF HOT FOOD.
UNIT 7, HENRY WELLS SQUARE/AYCLIFFE DRIVE, HEMEL
HEMPSTEAD.

APPLICANT: HERALD LEISURE GROUP

DESCRIPTION - This application seeks permission for the use of a shop unit as a restaurant and for the sale of hot food. The shop unit itself forms part of a scheme previously permitted on this site in October 1982 for a snooker club, 6 shop units, betting shop and parking area. Construction work on this scheme has recently been completed. The shop (Unit 7) is attached to the south side of the building accommodating the snooker club and betting shop and is situated to the east of the Grovehill Community Centre and to the north of the existing row of shops and car parking at Henry Wells Square.

POLICIES

County Structure Plan : No relevant Policies
Dacorum District Plan : Within the Urban area; Policies 88 and 90

REPRESENTATIONS

Principal Environmental Health : Comments awaited
Officer

CONSIDERATIONS - Planning permission was granted in August 1983 for this shop to be used for the sale of hot food however the applicant now wishes to provide a small area within the shop for restaurant purposes. In view of this previous permission for a non-shop use the introduction of a restaurant element into the building is not considered to be detrimental to the existing shopping area. The use is unlikely to generate any great car parking demand, however, there is adequate provision within the existing car parking area.

RECOMMENDATION - That planning permission be **GRANTED** (on form DC3) subject to the following condition:-

See note +

* * *