



PLANNING

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Applicant:
District & Urban Plc
28 Hereford Road
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TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION - 4/01390/96/FUL
CHANGE OF USE OF GROUND FLOOR OF 249 HIGH STREET TO
RESTAURANT, 4 HOUSES, GARAGES, PLANTING AND ACCESS
249 HIGH STREET & LAND REAR OF 235-241 HIGH STREET FRONTING
COWPER ROAD BERKHAMSTED

Your application for full planning permission dated 24 October 1996 and received on 25 October 1996 has been **GRANTED**, subject to any conditions set out overleaf.

Director of Planning
Dacorum Borough Council
Civic Centre
Marlowes
Hemel Hempstead
Herts
HP1 1HH

Date of Decision: 14 April 1997

CONDITIONS APPLICABLE TO APPLICATION: 4/01390/96/FUL

Date of Decision: 14 April 1997

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990.

2. No development shall take place until samples of all the materials hereby permitted have been submitted to, and approved in writing by the local planning authority. The approved materials shall be used in the implementation of the development.

Reason: To ensure a satisfactory appearance to the development.

3. All new or altered external surfaces to No. 249 High Street shall be finished or made good to match those of the existing building.

Reason: To ensure a satisfactory appearance to the development

4. All new windows and doors to No. 249 High Street shall be in timber and stained or painted to match existing windows.

Reason: To ensure a satisfactory appearance.

5. Details of all windows and doors in the four houses hereby permitted shall be submitted to and approved by the local planning authority prior to commencement of works.

Reason: To ensure a satisfactory appearance to the development in the Conservation Area.

6. Details of the bargeboards to the dormer gables and porches must be submitted to and approved by the local planning authority prior to commencement of works. The bargeboards shall be in timber and shall be painted to match the existing windows.

Reason: To ensure a satisfactory appearance to the development in the Conservation Area.

7. No development shall take place until details of the materials proposed to be used on the surfaces of the road and parking spaces shall have been submitted to and approved in writing by the local planning authority. The approved materials shall be used in the implementation of the development.

Reason: To ensure a satisfactory appearance.

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8. No development shall take place until full details of both hard and soft landscape works shall have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include proposed finished levels, means of enclosure, hard surfacing materials, refuse storage and lighting.

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area.

9. Soft landscape works shall include schedules of plants and trees noting species, plant sizes and proposed numbers where appropriate.

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area.

10. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme which shall be agreed with the local planning authority.

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area.

11. Any tree or shrub which forms part of the approved landscaping scheme which within a period of five years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a species, size and maturity to be approved by the local planning authority.

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area.

12. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the buildings are occupied. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area.

13. The development hereby permitted shall not be occupied until the arrangements for vehicle parking, shown on Drawing No. DNU201/D shall have been provided, and they shall not be used thereafter otherwise than for the purposes approved.

Reason: To ensure the adequate and satisfactory provision of off-street vehicle parking facilities.

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14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), no development comprised in Classes A, B, C, D, E, F, G or H of Part 1 of Schedule 2 to that Order shall be carried out without the prior written approval of the local planning authority.

Reason: To ensure a satisfactory development.

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order) (with or without modification), no windows, dormer windows, doors or other openings other than those expressly authorised by this permission shall be constructed.

Reason: To ensure a satisfactory development.

16. The ground floor of No. 249 High Street shall not be used for the sale of food for consumption off the premises other than confectionery.

Reason: There is insufficient off street parking for a takeaway facility which would give rise to unacceptable disturbance to the adjacent residential properties.

17. The ground floor of No. 249 High Street shall only be used between 9.00 am and 11.00 pm on Mondays to Fridays; 9.00 am to 12.00 midnight on Saturdays; and 9.00 am to 10.30 pm on Sundays, Bank Holidays and Public Holidays.

Reason: In the interests of the amenities of the occupants of neighbouring dwellings.

18. Before the development commences, a scheme for protecting the first floor residential unit at No. 249 High Street from noise generated from the restaurant shall be submitted to and approved by the local planning authority, and the restaurant use hereby permitted shall not be commenced until the approved scheme shall have been implemented.

Reason: To ensure an adequate standard of sound attenuation in the interests of residential amenity.

19. The restaurant use hereby permitted shall not be commenced until there has been submitted to and approved by the local planning authority a scheme for ventilation of the premises, including the extraction and filtration of cooking fumes. The approved scheme shall be carried out prior to the commencement of the restaurant use hereby permitted.

Reason: In the interests of the amenity of adjoining residents.

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20. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.

Reason: To ensure that reasonable facilities are made available to record archaeological evidence.

21. Before commencement of works details of the access ramp to the ground floor of No. 249 High Street shall be submitted to and approved by the local planning authority. The details shall include materials, balustrades and the junction of the ramp with the footpath.

Reason: To ensure a satisfactory development.