



**Application Ref: 3/18/1335/FUL**

Mr M Howes  
Lindy Livings & Howes  
7C Northgate End  
Bishop's Stortford  
Herts  
CM23 2ET

**Town and Country Planning Act 1990 (as amended)**

**DECISION NOTICE**

**Change of use from museum storage and office to single dwelling with separate office. Replace external windows and door.  
Cemetery Lodge 109 Apton Road Bishops Stortford Hertfordshire CM23 3JN**

In pursuance of their powers under the above mentioned Act and the Orders and Regulations for the time being in force thereunder, the Council hereby

**Grant Planning Permission subject to Conditions**

For the development proposed in your application received 7th June 2018 and registered on 7th June 2018 and shown on the submitted plans.

**Conditions:**

1. The development to which this permission relates shall be begun within a period of three years commencing on the date of this notice.  
Reason  
To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. The development hereby approved shall be carried out in accordance with the approved plans listed at the end of this Decision Notice.  
Reason  
To ensure the development is carried out in accordance with the approved plans, drawings and specifications.
3. All existing trees and hedges shall be retained, unless shown on the approved drawings as being removed. All trees and hedges on and immediately adjoining the site shall be protected from damage as a result of works on the site, to the satisfaction of the Local Planning Authority in accordance with BS5837: 2012 Trees in relation to design, demolition and construction, for the duration of the works on site and until at least five years following contractual practical completion of the approved development. In the event that trees or hedging become damaged or otherwise defective during such period, the Local Planning Authority shall be notified as soon as reasonably practicable and remedial action agreed and implemented. In the event that any tree or hedging dies or is removed without the prior consent of the Local Planning Authority, it shall be replaced as soon as is reasonably practicable and, in any case, by not later than the end of the first available planting season, with trees of such size, species and in such number and positions as may be agreed with the Authority.  
Reason

To ensure the continuity of amenity afforded by existing trees and hedges, in accordance with policies ENV2 and ENV11 of the East Herts Local Plan Second Review April 2007 and DES3 of the emerging East Herts District Plan.

4. Prior to the commencement of the development, full details of both hard and soft landscape proposals shall be submitted to and approved in writing by the Local Planning Authority. These details shall include, as appropriate: (a) Proposed finished levels or contours (b) Means of enclosure (c) Car parking layouts (d) Other vehicle and pedestrian access and circulation areas (e) Hard surfacing materials (f) Minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting) (g) Proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines, etc. indicating lines, manholes, supports, etc.) (h) Retained historic landscape features and proposals for restoration, where relevant (i) Planting plans (j) Written specifications (including cultivation and other operations associated with plant and grass establishment) (k) Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate (l) Implementation timetables. Thereafter the development shall proceed in accordance with the approved details.

**Reason**

To ensure the provision of amenity afforded by appropriate landscape design, in accordance with policies ENV1, ENV2 and ENV11 of the East Herts Local Plan Second Review April 2007 and DES3 and DES4 of the emerging East Herts District Plan.

**Informatives:**

1. This permission does not convey any consent which may be required under any legislation other than the Town and Country Planning Acts. Any permission required under the Building Regulations or under any other Act, must be obtained from the relevant authority or body e.g. Fire Officer, Health and Safety Executive, Environment Agency (Water Interest) etc. Neither does this permission negate or override any private covenants which may affect the land.
2. If bats or evidence for them is discovered during the course of any works, work must stop immediately and advice sought on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England tel: 0300 060 3900.
3. Tree and shrub removal, or severe pruning, should be undertaken outside the nesting bird season (March to August inclusive [Natural England]) to protect breeding birds, their nests, eggs and young. If this is not practicable, a search of the area should be made no more than 3 days in advance of vegetation clearance by a competent Ecologist and if active nests are found, works should stop until the birds have left the nest.
4. East Herts Council has considered the applicant's proposal in a positive and proactive manner with regard to the policies of the Development Plan; the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The balance of the considerations having regard to those policies is that permission should be granted.

**This Decision Relates to Plan Numbers:**

- 1 (Location Plan)
- 2 (Site plan)



East Herts Council  
Wallfields,  
Pegs Lane  
Hertford, Herts  
SG13 8EQ

Tel: 01279 655261

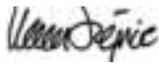
- 3 (Floor Plans - Existing)
- 4 (Floor Plans - Existing)
- 5 (Elevations - Existing and Proposed)
- 6 (Elevations - Existing)
- 7 (Elevations - Existing)
- 8 (Elevations - Existing)
- 9 (Floor Plans - Proposed)
- 10 (Floor Plans - Proposed)
- 11 (Elevations - Proposed)
- 12 (Elevations - Proposed)
- 13 (Elevations - Proposed)
- 14 (Section Details)

**Notes:**

1. Your proposed works may require building control approval. Please contact Hertfordshire Building Control Ltd who will help you through the process. Please contact them on 0208 207 7456 or email [buildingcontrol@hertfordshirebc.co.uk](mailto:buildingcontrol@hertfordshirebc.co.uk).
2. East Herts District Council would like to know what you think about our Planning Service process. We would be very grateful if you could complete the survey, by using this link <https://www.surveymonkey.co.uk/r/FQMRJR9>. There are only four questions to answer, so it will take no time at all. We want to improve our customer experience, so please take the time to let us know what you think.

Kevin Steptoe  
On Behalf Of Development Management

Dated: 30th August 2018

Signed: 

Nick Reed

**SEE ATTACHED NOTES**

TOWN AND COUNTRY PLANNING ACT 1990  
PLANNING (LISTED BUILDINGS & CONSERVATION AREAS) ACT 1990

**Appeals to the Secretary of State**

- If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the First Secretary of State under Section 78 of the Town and Country Planning Act 1990, or Section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- If this is a decision to refuse to planning permission for a Householder application and you wish to appeal against your Local Planning Authority's decision then you must do so within 12 weeks of the date of this notice.
- If you want to appeal against your Local Planning Authority's decision for any other type of application then you must do so within six months of the date of this notice.
- Appeals must be made using a form which you can get from the Planning Inspectorate at The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel. 0303 444 5000) or online at [www.gov.uk/planning-inspectorate](http://www.gov.uk/planning-inspectorate).
- The Secretary of State can allow a longer period of giving notice of an appeal, but he will not be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to any provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

**Appeals under the Control of Advertisement Regulations**

The same provision relating to rights of appeal against the Local Planning Authority's decision applies to advertisements with the following differences:

- Notice of appeal must be given in writing to the Secretary of State within 8 weeks from the date of this notice.
- The notice of appeal must be accompanied by a copy of the following documents:
  - (a) The application forms
  - (b) All relevant plans and particulars
  - (c) This notice of decision
  - (d) All other relevant correspondence with the Authority

The Secretary of State may require a statement of additional matters from either the applicant or the Local Planning Authority, and may with the agreement of both the applicant and the authority determine the appeal without affording an opportunity to appear before an Inspector.

**Purchase Notices**

- If either the Local Planning Authority or the First Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

**Compensation**

- In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.
- These circumstances are set out in Section 169 and related provisions of the Town and Country Planning Act 1971.



**Application Ref: X/18/0547/CND**

Martin Howes  
Lindy Livings & Howes  
18 High Street  
Little Abington  
Cambridge  
Cambs  
CB21 6BG

**TOWN AND COUNTRY PLANNING ACT1990  
PLANNING (LISTED BUILDINGS AND CONTROL) ACT 1990**

**PROPOSAL:** Discharge condition 4 (hard and soft landscape) attached to 3/18/1335/FUL

**LOCATION:** Cemetery Lodge 109 Apton Road

I write with reference to your application to discharge the above condition(s) received on 23rd November 2018.

I am able to confirm that the details submitted pursuant to the relevant conditions are approved.

The following details were provided for the discharge of Condition 4:

- Drawing no. 22
- Landscaping statement and planting schedule

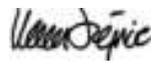
I can confirm that the submitted hard and soft landscaping details are acceptable and that Condition 4 of planning permission 3/17/1335/FUL can be discharged in full.

**Notes:**

1. You are hereby advised that the approved development shall be implemented in strict accordance with the approved plans, conditions and details agreed by condition. Failure to adhere to this may result in enforcement action being taken.
2. East Herts District Council would like to know what you think about our Planning Service process. We would be very grateful if you could complete the survey, by using this link <https://www.surveymonkey.co.uk/r/FQMRJR9>. There are only four questions to answer, so it will take no time at all. We want to improve our customer experience, so please take the time to let us know what you think.

Kevin Steptoe  
On Behalf Of Development Management

Dated: 16th January 2019

Signed: 

Nick Reed

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PLANNING (LISTED BUILDINGS & CONSERVATION AREAS) ACT 1990

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# Development Management

- 01279 655261
- [www.eastherts.gov.uk](http://www.eastherts.gov.uk)
- East Herts Council, Wallfields, Pegs Lane, Hertford, SG13 8EQ

-  EastHertsDC
-  EastHerts
-  easthertscouncil

