



# WELWYN HATFIELD COUNCIL

Council Offices Welwyn Garden City Herts AL8 6AE  
Telephone Welwyn Garden 331212 (STD Code 0707)

## DECISION NOTICE

Ref N°

S6/0064/92/FP

### TOWN AND COUNTRY PLANNING ACT 1990

Use of part of the first floor as banqueting suite at San Felice Restaurant, Great North Road, Bell Bar, Hatfield

To:  
M F Byrne  
29 Heath Drive  
Potters Bar  
Herts EN6 1EN

For:  
Trustfood Ltd  
San Felice Restaurant  
Great North Road  
Bell Bar, Hatfield, Herts

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 PERMIT the development proposed by you in your application received with sufficient particulars on 29th January 1992 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.

#### REASON

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The revised car parking layout shown on the approved plans shall be completed and marked out in full, in accordance with that layout, before the banqueting suite hereby permitted is first brought into use, and shall be maintained in this layout permanently thereafter.

#### REASON

To ensure that adequate car parking provision is maintained on this site in accordance with the Council's standards set out in the 1990 Deposited Welwyn Hatfield Draft District Plan, and in the interests of highway safety generally.

Date : 21st October 1992

Signed:   
Chief Planning Officer

#### GENERAL 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.

#### DEVELOPMENT SUBJECT TO CONDITIONS

2. If the applicant is aggrieved by the decision of the Local Planning Authority to grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment, in accordance with section 78(1) of the Town and Country Planning Act 1990, within six months of receipt of this notice. 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 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 District Council in which the land is situated a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.
4. In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is 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 Part IV of the Town and Country Planning Act 1990.

#### LISTED BUILDING CONSENT SUBJECT TO CONDITIONS

5. If the applicant is aggrieved by the decision of the Local Planning Authority to grant consent subject to conditions, he may, by notice served within six months of receipt of this notice, appeal to the Secretary of State for the Environment in accordance with section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The Secretary of State has power to allow a longer period for the giving of a notice of appeal and he will exercise his power in cases where he is satisfied that the applicant has deferred the giving of notice because negotiations with the Local Planning Authority in regard to the proposed works are in progress.
6. If Listed Building Consent is granted subject to conditions whether by the Local Planning Authority or by the Secretary of State for the Environment, 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 works which have been or would be permitted, he may serve on the District Council, in which the land is situated a listed building purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of section 32 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
7. Note 4 above applies.

#### ADVERTISEMENTS

8. Advertisements may continue to be displayed after the expiry of the permitted period, subject to the power of the Local Planning Authority to serve notice under Regulation 8 of the Town and Country Planning (Control of Advertisements) Regulations 1989.
9. If the applicant is aggrieved by the decision of the Local Planning Authority to grant consent subject to conditions he may by notice served within one month of receipt of this notice, appeal to the Secretary of State for the Environment in accordance with Regulation 15 of the Town and Country Planning (Control of Advertisements) Regulations 1989. The Secretary of State is not, having regard to the provisions of those Regulations, required to entertain such an appeal if it appears to him that consent for the display of advertisements could not have been granted by the Local Planning Authority otherwise than subject to the conditions imposed by them. The Secretary of State, however, has power to allow a longer period for the giving of a notice of appeal.
10. In certain circumstances a claim may be made against the Local Planning Authority for compensation where as a result of refusal of consent or its grant subject to conditions it is necessary for works of removal to be carried out. The circumstances in which such compensation is payable are set out in section 223 of the Town and Country Planning Act 1990.
11. Under schedule 1(4) of the Town and Country Planning (Control of Advertisements) Regulations 1989, before any advertisement is displayed the permission of the owner of the land or building on which the advertisement is to be displayed must be obtained.

#### APPEALS

12. Appeals must be made on a form which is obtainable from the Secretary of State for the Environment, Tollgate House, Houlton Street, Bristol BS2 9DJ (Telephone 0272-218811)