

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972



DACORUM BOROUGH COUNCIL

To Sowmac Investments Limited Messrs Telford and Partners
Pheasant Copse Pinewood
Pangbourne Pangbourne
Berks RG8 8IU Berks RG8 8IU

Erection of factory units, ancillary offices and car parking
at Units 8, 9, 10 and 11, Tring Industrial Estate,
Icknield Way, Tring

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 refuse the development proposed by you in your application dated 15 December 1988 and received with sufficient particulars on 4 January 1989 and shown on the plan(s) accompanying such application.

The reasons for the Council's decision to refuse permission for the development are:-

- 1. There is inadequate provision for vehicle parking within the site to meet standards adopted by the local planning authority.
2. The proposal to site factory premises (unit 8) on a more elevated position in relation to adjoining houses only some 10.5 metres away is likely to result in noise and disturbance to local residents and a general loss of amenity.
3. There are inadequate proposals for landscape and boundary treatment of the site.

Dated Sixteenth day of March 19 89

Signed [Signature]

Chief Planning Officer

NOTE

1. 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 s.36 of the Town and Country Planning Act 1971, within six months of receipt of this notice. (Appeals must be made on a form obtainable from the Secretary of State for the Environment, Tollgate House, Houlton Street, Bristol, BS2 9DJ). 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.

2. If permission to develop land is refused, or 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 development which has been or would be permitted, he may serve on the Borough 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 IX of the Town and Country Planning Act 1971.

3. 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 s.169 of the Town and Country Planning Act 1971.

DATED

7th August

1986

824222

David Wood

DACORUM BOROUGH COUNCIL

and

SOWMAC INVESTMENTS LIMITED

AGREEMENT

under s.52 of the Town and Country Planning Act 1971
and s.33 of the Local Government
(Miscellaneous Provisions) Act 1982 relating to
Tring Industrial Estate Upper Icknield Way
Tring Hertfordshire

Keith Hunt
Borough Secretary
Dacorum Borough Council
Civic Centre
Marlowes
Hemel Hempstead
Herts HP1 1HH

File Ref: KMP/ED/32/126/59/BS6/11.85(REV 4.86)

THIS AGREEMENT is made the *Seventh*
day of *August* One thousand nine hundred and eighty-six
BETWEEN DACORUM BOROUGH COUNCIL (hereinafter called
'the Council') of Civic Centre Marlowes Hemel Hempstead Hertfordshire
of the one part and SOWMAC INVESTMENTS LIMITED (hereinafter called
'the Applicant') whose registered office is situate at Pheasant Copse
Pangbourne Berkshire of the other part

WHEREAS

- (1) The Council is the local planning authority for the purposes of the
Town and Country Planning Act 1971 for the district of Dacorum
- (2) The Applicant has made application to the Council for planning
permission under reference number 4/0899/85 (hereinafter called 'the
said application') for the change of use of Unit 2 from factory to
warehouse and the erection of factories offices and associated car
parking at Tring Industrial Estate Upper Icknield Way Tring
Hertfordshire (hereinafter called 'the said land')
- (3) The Applicant is the owner in fee simple absolute in possession of
the unencumbered freehold interest in the said land

NOW THIS DEED WITNESSES as follows:

1. This Agreement and the covenants herein contained are expressly
made pursuant to s.52 of the Town and Country Planning Act 1971
and s.33 of the Local Government (Miscellaneous Provisions) Act 1982
2. In consideration, of the covenants on the part of the applicant
hereinafter contained the Council hereby covenants with the Applicant
that the Council will forthwith grant planning permission in respect
of the said application subject to the conditions set out in the
Schedule hereto

3. The Applicant hereby covenants with the Council that:-

- (a) details of landscaping in accordance with Conditions 3 and 10 of the planning permission shall be submitted for approval not later than 31st December 1986
- (b) the landscaping scheme approved in accordance with the terms of Condition 3 of the planning permission shall be implemented in full prior to 1st April 1987
- (c) access to the proposed Sorting Office in Unit 11 shall be taken only from the northern end of the building
- (d) those parts of the buildings edged and hatched red on the approved Drawing No. 85054/1B shall not be used otherwise than as a light industrial building as defined in the Town and Country Planning (Use Classes) Order 1972 or for storage purposes
- (e) the southern wall of Units 9 and 10 shall be constructed no nearer to the dwellings in Okeley Lane and Anns Close than the position dictated by the following:-

<u>Building</u>	<u>Distance in Metres</u>
79 Okeley Lane	12
11 Anns Close	14 10.5
12 Anns Close	12 10.5

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ch. al

- (f) within three months of Unit 9 first being occupied Unit 2 shall cease being used as a factory and shall thereafter not be used otherwise than as a wholesale warehouse or repository within Class X of the Schedule to the Town and Country Planning (Use Classes) Order 1972

THE SCHEDULE

1. The development to which this permission relates shall be begun within a period of five years commencing on the date of this Notice
2. No work shall be started on the development hereby permitted until details of materials to be used externally shall have been submitted to and approved by the local planning authority and the development hereby permitted shall be carried out in the materials as so approved
3. No work shall be started until a comprehensive scheme of landscaping including existing trees for the site shall have been submitted to and approved by the local planning authority. This landscaping scheme shall be implemented strictly in accordance with the approved details in the first planting season following the occupation of the development and shall be maintained at all times thereafter to the reasonable satisfaction of the local planning authority
4. Before occupation of the factory units hereby permitted car parking provision shall be made in accordance with Drawing No. 85054/1B received by the local planning authority on 2nd September 1985 with the exception of the eleven spaces backing onto the southern boundary of the site which shall form part of the landscaping area to which Condition 3 applies
5. The lower ground floor of Unit 11 shall be laid out as a vehicle parking area for the accommodation of staff and visitors' cars only. It shall not be used for industrial purposes or for the loading or unloading of goods vehicles and there shall be no pedestrian access created between the upper and lower ground floors without the express permission in writing of the local planning authority
6. No goods materials or refuse shall be stored or processed outside of the buildings to which this permission relates
7. There shall be no retail sales from any part of the site
8. The areas edged blue on the attached plan No. 85054/1B shall be properly surfaced and kept free of parked vehicles

9. Concrete bollards shall be erected to either side of the southern wall of Units 9 and 10 along the lines delineated in brown on plan No. 85054/1B at not more than 1.5 m centres
10. The area edged green on plan No. 85054/1B shall be grassed and planted with trees and shrubs in accordance with Condition 3 hereof and at no time shall the land be used for the parking manoeuvring loading or unloading of vehicles
11. Within three months of Unit 9 being first occupied the plant and equipment to the south of Unit 2 shall be removed and the land reinstated as a car parking area
12. Notwithstanding the provisions of the Town and Country Planning General Development Order 1977 or any amendments thereto there shall be no extensions to Units 2, 9, 10 and 11 and neither shall there be any alterations to the southern elevations thereof without the prior consent in writing of the local planning authority
13. Before development is commenced full details of the means of disposal of storm-water shall be submitted to and approved by the local planning authority and such provisions as may be approved shall be implemented concurrently with the development hereby permitted
14. Noise emitted from the site should not exceed 54 dBA expressed as a 15 minute Leq between 0800 and 1800 hours Monday to Friday excluding Bank Holidays and 49 dBA expressed as a 15 minute Leq between 1800 and 2200 hours Monday to Friday 0800 and 1300 hours on Saturday as measured on the southerly boundary of the site At all other times including Sundays and Bank Holidays noise emitted from the site should not exceed 44 dBA expressed as a 15 minute Leq as measured at the same location
15. Details of all ventilation openings flues and points of discharge of air gases fumes or dust in the buildings shall be submitted to and approved by the local planning authority prior to commencement of work on the site

16. Proposals for the pre-treatment of air gases fumes or dust that may be emitted from the buildings shall be submitted to and approved by the local planning authority prior to occupation
17. The offices hereby permitted shall not be used otherwise than for purposes incidental to the primarily industrial use of the building

IN WITNESS whereof the Council and the Applicant have caused their respective Common Seals to be hereunto affixed the day and year first before written

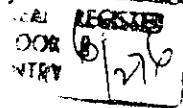
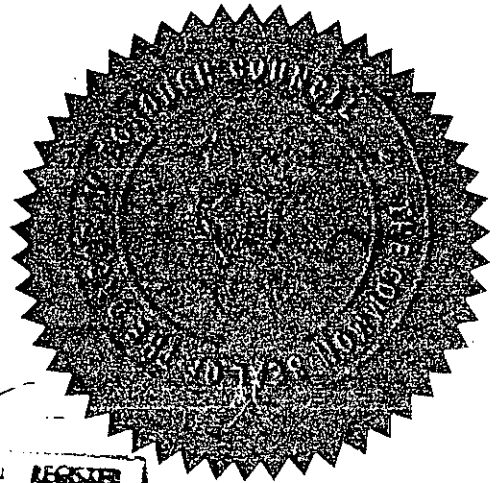
THE COMMON SEAL of)
 DACORUM BOROUGH COUNCIL)
 was hereunto affixed in)
 the presence of:)

[Handwritten Signature]

Chief Executive

[Handwritten Signature]

Assistant Secretary
 (Admin)



THE COMMON SEAL of)
 SOWMAC INVESTMENTS LIMITED)
 was hereunto affixed in the)
 presence of:)

x

Director

[Handwritten Signature]

Secretary

[Handwritten Signature]

