

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Other Ref. No.

DACORUM

THE DISTRICT COUNCIL OF

IN THE COUNTY OF HERTFORD

To Home Charm Retail Ltd., Cline Road, New Southgate, LONDON, N.11.

Michael Thorncroft, Esq., B.Sc., F.R.I.C.S., 30 New Bond Street, LONDON, W.1.

Change of use from warehouse to retail at Unit 4/5 Finway Road, Hemel Hempstead.

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 December, 1977, and received with sufficient particulars on 19th January, 1978, and shown on the plan(s) accompanying such application.

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

1. The application site is within an area allocated primarily for industrial purposes in the approved County Development Plan and "Hertfordshire 1981". There is clear evidence that there is only a limited amount of land available in the West Herts. Policy Area to meet the future needs of established industrial firms that need to remain in the County and the proposed development is therefore unacceptable in that it will further deplete the industrial commitment.

2. In the opinion of the local planning authorities the proposed development is primarily for the retail sale of goods and no evidence of an overriding need for this shopping facility has been advanced sufficient to justify its establishment within an industrial allocation: in accordance with Policy No. 46 of the submitted County Structure Plan (Written Statement) the proposed use should be located within existing central areas and local shopping centres.

Dated 9th day of March, 1978.

Signed [Signature] Designation Director of Technical Services.

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, Whitehall, 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 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 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 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.