

D.C.8. JDS

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Town Planning
Ref. No. 4/0077/87

Other
Ref. No.

THE DISTRICT COUNCIL OF DACORUM
IN THE COUNTY OF HERTFORD

To Telford and Partners,
Pinewood,
Bere Court Road,
Pangbourne,
Reading RG8 8JU.

Submission of landscaping materials
Re 4/0899/85 factories, warehouses and offices
at Tring Industrial Estate, Upper Icknield Way,
Tring, Herts.

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 do hereby disapprove the details of the development which were reserved for subsequent approval in the outline planning permission no. 4/0899/85

granted on 7 August 1986 at the above-mentioned location as shown on the following drawings submitted by you and accompanying your application dated 15 January 1987

The reasons for such disapproval are as follows:—

The submitted landscaping scheme is unsatisfactory by reason of the limited choice of species, insufficient numbers of trees to be planted and lack of detail as to numbers, types, height and spacing of tree and shrub planting.

Dated 15th day of June 19 87

Signed *[Signature]*

Designation Chief Planning Officer.

NOTE

- (1) If the applicant wishes to have an explanation of the reasons for this disapproval 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 disapprove the details of the proposed development, 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 36 of the Town and Country Planning Act, 1971. 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 development are in progress.

DATED

7th August

1986

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:-

Building

Distance in Metres

79 Okeley Lane
11 Anns Close
12 Anns Close

12

~~14~~ 10.5

~~12~~ 10.5

Handwritten signatures and initials, including 'J.S.' and 'A.L.'.

- (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

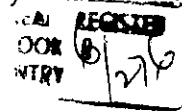
THE COMMON SEAL of
 DACORUM BOROUGH COUNCIL
 was hereunto affixed in
 the presence of:

[Signature]

Chief Executive

[Signature]

Assistant Secretary
 (Admin)



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

x

Director

[Signature]

Secretary

[Signature]

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4/899/85

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Designation Chief Planning Officer.

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