

Town Planning Ref. No. 4/0240/80

Other Ref. No.

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

THE DISTRICT COUNCIL OF DACORUM
IN THE COUNTY OF HERTFORD

To Commission for the New Towns, Messrs. Fuller, Hall & Foulsham, Swan Court, 53 Marlowes, Waterhouse Street, Hemel Hempstead, Herts.

.... Seven unit workshops and approach road.
on land at Eastman Way,
Hemel Hempstead, 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 hereby permit the development proposed by you in your application dated 12th February 1980 and received with sufficient particulars on 19th February 1980 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.

(2) No work shall be started until a comprehensive scheme of landscaping 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 first rateable occupation of the development hereby permitted and maintained at all times thereafter to the reasonable satisfaction of the Local Planning Authority.

(3) The buildings hereby permitted shall not be occupied until the service road shown on drawing No. 2445/27 dated 7th February 1980 shall have been substantially constructed to the reasonable satisfaction of the Local Planning Authority with the exception of final surfacing.

(4) For a period of ten years from the date of this permission the premises (7 unit workshops) hereby approved, shall be occupied only by the firms as detailed on the schedule accompanying the application and attached to this permission, or by such other firm, company or organisation occupying on 1st January 1976 a building within the County of Hertfordshire which is used as a general or light industrial building within the meaning of those terms in the Town and Country Planning (Use Classes) Order 1972 and who are certified in writing by the Local Planning Authority as complying with this

criterion or otherwise being an exceptional case within the terms of their adopted industrial and employment policies and who in either case would not give use to any significant increase in employment within the area such as to prejudice the objectives set out in Policies 1, 3 and 4 of the approved County Structure Plan (1979)

(5) Between the hours of 07.00-19.00 Monday to Friday and 07.00-13.00 Saturday, noise attributable to operations on the premises shall not exceed 59dB(A) at the application site boundary so measured over any 15 minute period and expressed as any equivalent continuous sound level (Leq). At any other time the noise level must not exceed 40dB(A) also expressed as an equivalent continuous sound level.

The reasons for the Council's decision to grant permission for the development subject to the above conditions are:-

- (1) To comply with the requirements of Section 41 of the Town & Country Planning Act, 1971.
- (2) To maintain and enhance visual amenity.
- (3) To ensure the proper development and use of the site.
- (4) To safeguard and maintain the strategic policies expressed in the approved County Structure Plan (1979)
- (5) In the interests of general amenity and in particular the occupants of neighbouring dwellings.

Dated.....5th.....day of.....March.....19..80..

Signed..........

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, Marsham Street, 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 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 Common Council, or on the Council of the county borough, London borough or county district in which the land is situated, as the case may be, 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.