

Town Planning

Ref. No. 4/0292/86

Other

Ref. No.

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

THE DISTRICT COUNCIL OF DACORUM

IN THE COUNTY OF HERTFORD

To D R Hansard & Son
 Heathdene
 Common Lane
 Kings Langley

.... Change of use light industrial to public works
 contractors depot
 at .. 54 Duxons Turn, 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 permit the development proposed by you in your application dated 3 March 1986 and received with sufficient particulars on 4 March 1986 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) Access to the site shall be a minimum of 4.2 m in width and such access shall have radii of 10.5 m.
- (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) The land and buildings subject of this permission shall be used for the storage of vehicles and materials associated with the construction repair and maintenance of highways, drainage and other ancillary works.
- (5) Before the development hereby permitted is commenced full details of the position and form of construction of the accessway shall be submitted to and approved by the local planning authority.

- (6) Between the hours of 7.00 am and 7.00 pm Mondays to Fridays () noise from operators conducted on the premises shall not exceed 45 dBA, measured on the north, south, and west boundaries over any 15 minute period, and expressed as 15 minute equivalent continuous sound pressure level (Leq 15 minute). At any other time, noise from operations on the premises and measured and expressed in a similar way shall not exceed 38 dBA Leq 15 minutes. The measurements shall be taken at a height of 1.2 m above ground level except where the site is enclosed by a wall or other sound-opaque structure at or near the perimeter, when measurements shall be taken at a position high enough to measure the noise coming over the top of such a structure.

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) In the interests of highway safety.
- (3) To maintain and enhance visual amenity.
- (4) For the avoidance of doubt and to enable the Council to retain control over the use of the premises.
- (5) In the interests of highway safety.
- (6) To safeguard the peaceful amenity of nearby dwellings.

Dated.....24.....day of April.....1986.....

Signed.....

Designation **CHIEF PLANNING OFFICER**

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.