

Town Planning 4/0296/79
Ref. No.

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Other
Ref. No.

THE DISTRICT COUNCIL OF

DACORUM

IN THE COUNTY OF HERTFORD

To Messrs. H. & G. Simonds Pension Trust,
Anchor Terrace,
Southwark Bridge,
LONDON.
SE1

Finlinson Properties Ltd.,
144 Victoria Street,
ST. ALBANS,
Herts.

Use of Unit 3, Finway Road, Hemel Hempstead, for light
industry with variation of condition 2 of planning
permission 4/1612/76 dated 4/1/79.

at

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 **5th March, 1979** and received with sufficient particulars on **6th March, 1979** 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 **3** years commencing on the date of this notice.
- (2) Operations conducted on the site shall not produce a noise emission level which would result in an increase in background noise levels in excess of:— (a) 51 dBA from 0700 hours to 1900 hours Monday to Friday and 0700 hours to 1300 hours on Saturday, and (b) 44 dBA at any other time - when measured anywhere on the boundary of the application site. The background noise level shall be represented by an L_{90} value measured in any 15 minute period.
- (3) For a period of ten years from the date of this permission the premises hereby approved shall be occupied only by Honeywell Information Systems Limited 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 Authorities 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 rise 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 submitted County Structure Plan Written Statement.

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 prevent an increase in the existing ambient noise level in the interests of general amenity.**
- (3) **In order to safeguard and maintain the strategic policies of the Local Planning Authorities as expressed in the submitted Structure Plan for the County of Hertfordshire.**

Dated.....30th.....day of.....April.....19.79.....

Signed.....

Designation.....**DIRECTOR OF TECHNICAL SERVICE**.....

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 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.