

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Town Planning
Ref. No. 4/0357/75

Other
Ref. No. 543/75D

THE DISTRICT COUNCIL OF DACORUM

IN THE COUNTY OF HERTFORD

To **Finlinson Properties Ltd.,**
Brick Knoll Park,
Ashley Road,
St. Albans,
Herts. AL1 5NX.

.. Warehouse development.....

.....

at **Three Cherry Trees Lane, 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, in accordance with the provisions of Article 5(2) of the Town and Country Planning General Development Order, 1973, as amended, the development proposed by you in your outline application dated **10th April 1975** and received with sufficient particulars on **14th April 1975** and shown on the plan(s) accompanying such application, subject to the following conditions:-

- 1 The development hereby permitted shall not be carried out otherwise than in accordance with detailed plans and drawings showing the siting, layout, design, landscaping and external appearance of the building(s) and the means of access thereto which shall have been approved by the local planning authority, before any development is commenced.
- 2 (a) Application for approval in respect of all matters reserved in Condition 1 above shall be made to the local planning authority within a period of **3** years commencing on the date of this notice.
(b) The development to which this permission relates shall be begun by not later than whichever is the later of the following dates:-
(i) the expiration of a period of **5** years, commencing on the date of this notice.
(ii) the expiration of a period of **2** years commencing on the date upon which final approval is given by the local planning authority or by the Secretary of State or, in the case of approval given on different dates, the final approval of the last such matter to be approved by the local planning authority or by the Secretary of State.
3. ~~The details submitted in accordance with condition 1 hereof shall include~~
~~(a) construction of roads and sewers (b) car parking facilities to comply~~
~~with standards adopted by the Local Planning Authority. (c) refuse storage~~
~~and collection facilities (d) site screening on the boundary of the site~~
~~(e) survey of existing trees and hedges.~~
4. ~~None of the trees or hedges on the site at the date of this permission and~~
~~fronting onto Three Cherry Trees Lane and extending 20'-0" south westwards~~
~~into the site shall be removed without the written agreement of the Local~~
~~Planning Authority.~~
5. The permission shall not extend to any of the details of layout shown on Plan No. 543/75D.

/Cont'd over page....

6. For a period of five years from the date of the first rateable occupation the buildings hereby permitted shall be occupied only by a firm to be approved in writing by the Local Planning Authority.
7. This permission shall relate only to buildings included in Class X of the Town and Country Planning (Use Classes) Order 1972 and shall not extend to use for cash and carry or any other purpose other than storage warehousing.
8. 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 the occupation of the development and shall be maintained at all times thereafter to the reasonable satisfaction of the Local Planning Authority.
9. All trees and hedges which are to remain shall be adequately protected to prevent damage during constructional works and, any trees or hedgerow accidentally damaged shall be replaced in the first appropriate planting season thereafter.

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

1. To comply with the provisions of Regulation 5(2) of the Town and Country Planning General Development Order, 1973, as amended.
2. To comply with the requirements of Section 42 of the Town and Country Planning Act, 1971.
- 3, 4) & 5) In the interests of the amenity of the area and the convenient operation of the site.
- 6) To ensure the initial occupation of the premises in accordance with the policies of the Local Planning Authority.
- 7) To ensure the convenient operation of the site for the purpose hereby permitted and to accord with the general policies of the Local Planning Authority in respect of the allocation of premises for warehousing and retail purposes.
- 8) & 9) To maintain and enhance the visual amenity of the area.

Dated 12th day of August 1975

As amended by Committee decision 29.July.1976.

Signed.....

Director of Technical Services

Designation

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 Department of the Environment, Caxton House, Tothill Street, London SW1H 9LZ.) 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 (a), to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by him.

(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 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.

(a) The statutory requirements are those set out in section 36(7) of the Town and Country Planning Act 1971, namely sections 29(1), 30(1), 67 and 74 of the Act.