

Town Planning 4/0388/79

Ref. No.

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Other

Ref. No.

THE DISTRICT COUNCIL OF

IN THE COUNTY OF HERTFORD

Commission for the New Towns,
Swan Court,
Waterhouse Street,
HEMEL HEMPSTEAD,
Herts.

To

Messrs. Fuller, Hall & Foulsham,
53 Marlowes,
HEMEL HEMPSTEAD,
Herts.

Warehouse
at Eastman Way, 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 22nd March, 1979, and received with sufficient particulars on 23rd 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 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/SK9 dated 28th February, 1978 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 hereby approved shall be occupied only by Richard Kohnstein or by such other person, firm, company or organisation engaged in warehousing within the meaning of Class X of the Town and Country Planning (Use Classes) Order 1972 who are certified in writing by the local planning authorities as being either necessarily sited within the County of Hertfordshire or who substantially provide a service to the local community and who, in either case, would not give rise to any

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 proper development and use of the site.
- (4) To ensure that the premises will be occupied by the type of warehousing which will accord with the policies of the local planning authorities as expressed in Policies 1, 3 and 8 of the submitted County Structure Plan Written Statement.
- (5) In the interests of general amenity for the occupants of adjacent dwellings.

Dated.....19th.....day of.....April, 1979.

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, 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.