

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

THE DISTRICT COUNCIL OF DACORUM
IN THE COUNTY OF HERTFORD

To Caracola Developments Limited
PO Box 505
St. Alphage House
Fore Street
London EC2P 2HJ

The Dewhurst Haslam Partnership
17 Upper Grosvenor Road
Tunbridge Wells
Kent TN1 2DU

Light industrial and warehouse estate (outline)

at Northridge Road, Berkhamsted, 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, in accordance with the provisions of Article 5(2) of the Town and Country Planning General Development Orders 1971-81, the development proposed by you in your outline application dated 15.5.85 and received with sufficient particulars on 17.5.85 and shown on the plan(s) accompanying such application, subject to the following conditions:-

1 development hereby permitted shall not be carried out otherwise than in accordance with detailed plans 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.

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- (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 . . . 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) Details submitted in accordance with condition (1) of this permission shall illustrate the provision of small industrial units ranging in size up to 350 sq m floor area, and no unit shall thereafter be combined in any manner or occupied in conjunction with any other unit on the site so as to create an undertaking with a floor area in excess of 350 sq m.
 - (4) Not less than 60% of the total floorspace shall be devoted to small industrial units in accordance with condition (3) of this permission.

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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 Orders 1977-81
2. To comply with the requirements of Section 42 of the Town and Country Planning Act, 1971.
3. To reflect proposals incorporated in the adopted Dacorum District Plan whereby adequate provision is to be made for the accommodation of small firms.
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5. To ensure the proper development of the site and in the interests of the amenity of the proposed residential development of adjoining land.
6. To ensure that the means of access to the site is adequate to serve the proposed development.
7. In order to provide adequate and satisfactory provision of off street car parking accommodation.
8. In the interests of visual amenity and the efficient operation of commercial activities.
9. To safeguard the restraint policies contained in the approved County Structure Plan and the adopted Dacorum District Plan.
10. To safeguard the residential amenity of surrounding areas.

Dated 27th day of June 19 85

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 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.

- (5) Means of vehicular access to the development hereby permitted shall be from Northbridge Road only.
- ~~(6)~~ (6) No development shall take place until Northbridge Road from the application site to its junction with Billet Lane shall have been improved in accordance with details to be approved by the local planning authority.
- (7) Each unit shall be provided with off street car parking facilities in accordance with standards adopted by the local planning authority.
- (8) There shall be no storage of goods or containers within the site otherwise than in an enclosed building.
- (9) For a period of not less than 10 years from the date of this permission, the warehouse floorspace to which this permission relates shall only be occupied by a person, firm, company or organisation operating a local distribution centre serving only the local community or operating a regional warehouse which needs to be located within the area in the regional interest 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 8 of the Hertfordshire County Structure Plan and Policies 43, 44, 58 and 59 of the Dacorum District Plan.
- (10) That work on the site be limited to the hours of between 0730 and 1730 on Mondays to Fridays excluding Bank Holidays. Intrusive noise from operations conducted on the premises shall not exceed 51 dB(A) as measured on the canal boundary over any 15 minute period and expressed as 15 minute equivalent continuous sound pressure level (LEQ 15 min). At any other time, noise measured from operations conducted on the premises and measured and expressed in a similar way shall not exceed 40 dB(A) (LEQ 15 min). The measurement 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 the measurement shall be taken at a position high enough to measure the noise coming over the top of such a structure.