

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Other

Ref. No.

~~THE DISTRICT COUNCIL OF~~~~IN~~ THE COUNTY OF HERTFORD

To Button Demolition

Park Works

Paradise Industrial Estate

- Hemel Hempstead

Herts

INSTALLATION OF INCINERATOR AND CONSTRUCTION OF A
CHIMNEY

at PARK WORKS, PARADISE, 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 refuse the development proposed by you in your application dated 19 May 1992 and received with sufficient particulars on 15 October 1992 and shown on the plan(s) accompanying such application.

~~THE REASONS FOR THE COUNCIL'S DECISION TO REFUSE PERMISSION FOR THE DEVELOPMENT ARE:~~

See attached Schedule of Reasons attached.

Dated 12th day of May 1993.

Signed 7. J. Batts

Designation HEAD OF RESTORATION, MINERALS AND WASTE PLANNING

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 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 District Council in which the land is situated, 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.

* Department of the Environment
Tollgate House
Houlton Street
Bristol BS2 2DJ

REASONS FOR REFUSAL

1. No detailed information on the nature and dispersion of emissions has been provided to indicate that the proposed development would not create a nuisance or have other un-neighbourly effects on the hospital and adjacent residential areas. In the absence of this information, an informed decision on whether or not the development would be environmentally unacceptable on neighbouring land-uses cannot be made.⁷
2. The height of the chimney stack required to ensure the proper dispersion of pollutants has not been provided. No assessment can therefore be made on the visual impact the chimney stack may have in the locality.
3. By virtue of the existing operations at the site, the proposed operations could not be carried out in an operationally acceptable manner within the confines of the site.

TJB

12 May 1993