

## TOWN &amp; COUNTRY PLANNING ACTS, 1971 and 1972

THE DISTRICT COUNCIL OF

DROGHDA

IN THE COUNTY OF HERTFORD

To Hunter Aluminium Co. Ltd., Agents: Telford & Partners,  
50, Aylesbury Road, Pinewood,  
Aston Clinton, Here Court Road,  
Ducks. Pangbourne,  
Berkshire.

Industrial Unit;  
at Upper Icknield Way, Tring.


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 14th June, 1974 and received with sufficient particulars on 18th June, 1974 and shown on the plan(s) accompanying such application.

The reasons for the Council's decision to refuse permission for the development are:-

- (1) The relationship of the factory to the existing dwellings is such that the amenities at present enjoyed by the residents of those dwellings would be seriously affected, particularly as it is intended that the factory will operate on a shift system for 24 hours every day.
- (2) The development does not comply with policies adopted by the County and District authorities in that the firm is not at present located within Hertfordshire.

Dated twenty-fourth day of October 1974

Signed   
Director of Technical  
Designation 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 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  
Caxton House Tothill Street London SW1H 9LZ

Telephone 01-834 8540 ext

Your reference

For Addresseees see back of Page 4

Our reference

APP/1743/C/19237 and 72/12

Date

118 SEP 1973

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1971 SECTION 88  
LAND AT ICKNIELD WAY INDUSTRIAL ESTATES, TRING  
APPEAL BY (1) SOMAC INVESTMENTS LTD (2) ISOPLAN FURNITURE LTD

1. I am directed by the Secretary of State for the Environment to refer to the report of the Inspector, Mr A A Sloma BSc(Eng), MICE, FIMunE, Barrister, IMRTPI, who held a local inquiry into appeals against enforcement notices served by the Tring Urban District Council, acting on behalf of the Hertfordshire County Council, relating to:-

i. non-compliance with a condition subject to which planning permission was granted on 8 October 1970 for the erection of a furniture factory. The condition required a wall to be erected before the commencement of the construction of the factory. (Hereinafter referred to as Enforcement Notice "A");

ii. the erection or partial erection without planning permission of buildings or structures measuring about 40 ft by 18 ft and a cyclone dust arrestor; (Hereinafter referred to as Enforcement Notice "B").

2. The appeal against Enforcement Notice "A" was on the grounds set out in section 16(1) (a), (f) and (g) of the Town and Country Planning Act 1968 (now Section 88(1) of the Town and Country Planning Act 1971). The appeal against Enforcement Notice "B" was on the grounds set out in Section 88(1)(a), (b) and (f) of the 1971 Act, but at the inquiry ground (b) was withdrawn.

3. A copy of the Inspector's report of the inquiry is annexed to this letter. His conclusions are set out in paragraph 43 and his recommendation at paragraph 44 of the report. The report has been considered.

REASONS FOR THE DECISION

4. The Inspector concluded as follows:-

"In respect of the 1971 enforcement notice - wall

1. A substantial boundary separation is required here not only to screen the industrial area but also to act as a noise buffer. To this end, the length along the boundary and the return length required by the initial condition is reasonable for shielding purposes and there is no reason to reduce any lengths.