

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

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

To Finlinson Properties Limited
 144 Victoria Street
 St. Albans
 Herts AL1 3UX

Change of use to light industry.

at Unit 3, Finway Road, 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 July 4, 1978 and received with sufficient particulars on July 18, 1978 and shown on the plan(s) accompanying such application.

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

Policy 4 of the submitted County Structure Plan Written Statement provides that industrial development will be restricted to existing commitments as at 1 January 1976, and that development will be restricted to some expansion of existing Hertfordshire forms which the local planning authorities are satisfied need to remain in Hertfordshire. Gandalf Digital Communications Ltd., the proposed occupiers, do not meet the policy provisions, in that they do not occupy an industrial building within the County of Hertfordshire.

Dated 31 day of OCTOBER 1978

Signed M. J. G. ManningDesignation County Secretary

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.

HERTFORDSHIRE COUNTY COUNCIL



John Dobby Team!
PLANNING DEPARTMENT

COUNTY HALL
HERTFORD SG13 8DN

DAVID OVERTON
COUNTY PLANNING OFFICER

Director of Technical Services
Dacorum District Council
Civic Centre
Marlowes
Hemel Hempstead
Herts

Hertford : 54242
Ext : 5616
Your Ref :
My Ref : L/TJB/RK/4/873-78
Date : 25 October 1978
Please ask for: Mr Betts

Dear Sir

CHANGE OF USE TO LIGHT INDUSTRIAL USE
FOR GANDALF DIGITAL COMMUNICATIONS LTD
UNIT 3 FINWAY ROAD HEMEL HEMPSTEAD

You will recall that this application was discussed by the Joint Liaison Sub Committee on 20 September 1978. As a result of the failure to agree the application was referred to the County Planning Committee for determination, and you asked that the County Council issue the decision. The County Planning Committee met on 16 October and decided to refuse permission for the development for the following reason:

"Policy 4 of the submitted County Structure Plan Written Statement provides that industrial development will be restricted to existing commitments as at 1 January 1976, and that development will be restricted to some expansion of existing Hertfordshire forms which the local planning authorities are satisfied need to remain in Hertfordshire. Gandalf Digital Communications Ltd., the proposed occupiers, do not meet the policy provisions, in that they do not occupy an industrial building within the County of Hertfordshire."

Yours faithfully

718

Geoffrey Stealey

TECHNICAL SERVICES DEPT.	
PLANNING SECTION	
<i>GS</i>	30 OCT 1978
FILE No. 4/873/78	DATE <i>nded</i>

Team! note & file