

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

THE DISTRICT COUNCIL OF DACORUM

IN THE COUNTY OF HERTFORD

To
Howard Smith Papers,
Mark Road,
HEMEL HEMPSTEAD,
Herts.

Messrs. Brian Prideaux & Associates,
Fortmore House,
54 Church Street,
WEYBRIDGE,
Surrey.

Redevelopment of warehouse site as unit factories/
warehouses, Mark Road, Hemel Hempstead.

xx
at

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 Order, 1973, as amended, the development proposed by you in your outline application dated 10th July, 1981, and received with sufficient particulars on 15th July, 1981, and shown on the plan(s) accompanying such application, subject to the following conditions:-

- 1 The development hereby permitted shall not be carried out otherwise than in accordance with detailed plans and drawings showing the ~~plans~~ ^{plans}, 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.
- 2 (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 3 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 The access shall include the provision of sight lines 4.5 m. x 60 m. with minimum kerb radii of 10.5 m. within which there shall be no obstruction more than 1 m. above carriageway level.
- 4 The units hereby permitted shall be used only for light industrial or warehouse purposes as defined in the current Town and Country Planning Use Classes Order.

The reasons for the local planning authority's decision to grant permission for the development subject to the²¹ above conditions are:-

1. To comply with the provisions of Regulation 5(2) of the Town and Country Planning General Development Order, 1973, as amended.
2. To comply with the requirements of Section 42 of the Town and Country Planning Act, 1971.
3. To ensure proper development and in the interests of road safety.
4. To protect the general amenities of the area.
5. To safeguard and maintain the strategic policies of the local planning authorities as expressed in the approved County Structure Plan (1979).
6. As (5).
7. To ensure proper development of the site.
8. As (7).
9. In the interests of amenity.
10. In the interests of general amenity for the occupants of adjacent dwellings.

Dated 25th August 1981

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.

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Conditions continued.....

- 5 The floor space of the units hereby permitted shall be constructed and completed only in accordance with the details to be submitted as required by condition 2 above. Thereafter, notwithstanding the provisions of Section 22 (2)(a) of the Town and Country Planning Act, 1971 and of Class VIII of Schedule 1 of the Town and Country Planning General Development Orders 1977 to 1981, none of the individual units shall be altered or combined in any manner and neither shall they be occupied in conjunction with any other unit so as to create a unit of greater floorspace than that indicated in the application, without the written approval of the local planning authority.
- 6 No particular unit shall be occupied until the proposed occupier of that unit has first been notified to the local planning authority and they have confirmed in writing that the intended occupier is a small firm within the terms of Policy 5 of the approved County Structure Plan.
- 7 The arrangements for service vehicle access to industrial units shall not unduly obstruct car parking provision on the site.
- 8 The details to be submitted under condition 2 shall include adequate arrangements for refuse disposal.
- 9 There shall be no outside storage of materials or goods in the forecourt area used for car parking or vehicle servicing.
- 10 Noise from operations on these premises shall not exceed 45 dB(A) as measured at the boundaries of the site between the hours of 0700 and 1900 Monday to Friday and 0700 and 1300 Saturday. At all other times the noise level at these boundaries shall not exceed 40 dB(A).

Wm Barnard