

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Town Planning
Ref. No.
Other
Ref. No. 4/1119/81

THE DISTRICT COUNCIL OF Dacorum District Council
IN THE COUNTY OF HERTFORD

To Messrs Brixton Investments (Hemel Hempstead) Ltd
22 - 24 Ely Place
London
EC1N 6PQ

G B Burgess Esq RIBA FFB
22 - 24 Ely Place
London
EC1N 6TQ

Industrial development (outline)
.....
at Land off Maylands Avenue/Cleveland 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 permit, in accordance with the provisions of Article 5(2) of the Town and Country Planning General Development Order, 1977, ~~as amended~~, the development proposed by you in your outline application dated 18 August 1981 and received with sufficient particulars on 28 August 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 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.
- 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 details submitted in accordance with condition No. 2 shall include the submission of a comprehensive landscape survey and proposals and details of refuse collection and general storage arrangements.
- 4 Adequate arrangements shall be made to the satisfaction of the local planning authority for the protection of all trees on the site which are to be retained to prevent damage during construction works. Any trees accidentally damaged shall be replaced by approved species in the first planting season thereafter.

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 Order, 1977, ~~as amended~~.
2. To comply with the requirements of Section 42 of the Town and Country Planning Act, 1971.
3. To ensure the proper development of the site.
4. In the interests of visual amenity.
5. To safeguard and maintain the strategic policies of the Local Planning
6. Authorities as expressed in the approved County Structure Plan (1979)
7. and Policies in the deposited Dacorum District Plan.
- 8.
9. To ensure the satisfactory appearance and amenity of the areas.
10. Imposed by the Secretary of State for Industry on the Industrial
11. Development Certificate.

Dated 1st day of October, 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.

5. For a period of not less than 10 years from the date of this permission the industrial floor space to which this permission relates shall be occupied only by a firm, company or organisation who require premises in order to carry out their existing Hertfordshire based activity or who, in the case of a new activity need to be located within the area in the national or regional interest, and the premises shall not be occupied until the prospective occupiers are certified in writing by the local planning authority as complying with either of these criteria or otherwise being an exceptional case within the terms of their adopted industrial and employment policies 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 Policy Nos. 43, 49 and 50 of the Deposited Dacorum District Plan.
6. The floor space of units A. and B. on plan CD/MH/502 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 I 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.
7. No particular unit within A. and B. on plan CD/MH/502 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.
8. The office floorspace provided shall be used only in association with the industrial floorspace to which it is related.
9. No goods, materials or refuse shall be stored or processed outside the limits of the buildings hereby permitted and the curtilage shall be kept in a clean and tidy condition to the satisfaction of the local planning authority.
10. Not more than 50,000 sq.ft. of the aggregate floor space of the buildings shall be used at any one time by any one person for the carrying on of activities, including the provision of services and facilities, to which Section 66 of the Town and Country Planning Act 1971 refers.
11. No part of the buildings shall be occupied by a person who, at any time during the period beginning 12 months before that part becomes available for occupation by him and ending 18 months after that date, ceases to occupy a building within a development or intermediate area for the purpose of the carrying on of activities to which Section 66 of the Town and Country Planning Act 1971 refers unless he immediately enters into occupation of another such building (whose aggregate floorspace is not less than 90% of the vacated building) for such purpose.

John B. March