

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Other
Ref. No. 1965/76DTHE DISTRICT COUNCIL OF DACORUM
IN THE COUNTY OF HERTFORDTo BOC Transfield Limited/
Commission for the New Towns,
Hammersmith House,
Hammersmith. W6 9DX.Agents: Guise, Davies & Upfold,
Granville House,
132/135 Sloane Street,
London SW1X 9AX.

Distribution Depot and Warehouse,

Land off Swallowdale Lane/Three Cherry Trees Lane,
at Hemel Hempstead, Herts.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 31st December 1976 and received with sufficient particulars on 31st December 1976 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 This permission shall not include the layout shown on the submitted plan.
- 4 All loading, unloading, parking and turning of vehicles visiting the site shall take place within the curtilage of the proposed development.
- 5 All storage shall be confined to within the buildings, and the site shall at all times be maintained in a neat and tidy condition.
- 6 Details of treatment of all site boundaries, which shall include screening along the Southern and Eastern boundaries, shall be included on the detailed plans submitted in accordance with condition 1 hereof.

/Contd overleaf.....

7) A detailed landscaping scheme making provision for the planting of trees, shrubs and grass shall be submitted to, and approved by, the local planning authority before any work is commenced on site and the scheme as approved shall be implemented within the first planting season after occupation.

- 8) No trees existing on the site shall be removed without the prior written consent of the local planning authority.
- 9) For a period of ten years from the date of this permission the premises hereby approved shall be occupied only by Marks and Spencer Ltd., as a distribution depot or by such other firm or company engaged in warehousing (excluding cash and carry business) which shall have received the prior approval of the local planning authorities having regard to the policies of the submitted County Structure Plan.

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, 1973, as amended.
2. To comply with the requirements of Section 42 of the Town and Country Planning Act, 1971.
3. To enable the local planning authority to consider the development for the proposed use of the site.
4. To avoid clutter and obstruction on adjacent highways.
5. To take into account the interests of visual amenity.
6. To ensure that the premises are not occupied otherwise than in accordance with policies 3 and 6 of the submitted County Structure Plan. (written statement).

Dated

day of

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Signed

Designation Director of Technical

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 30(1), 30(1), 67 and 74 of the Act.