

Town Planning Ref. No. 4/2074/88

Other Ref. No.

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

THE DISTRICT COUNCIL OF DACORUM IN THE COUNTY OF HERTFORD

To Sharose Properties Limited Apex House 31 Chiltern Avenue Amersham Bucks HP6 5AP

Cannon Morgan and Rheinberg 38 Holywell Hill St Albans Herts AL1 1BU

Industrial buildings at Phase I, Hicks Road Industrial Estate, Markyate

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 the development proposed by you in your application dated 9 November 1988 and received with sufficient particulars on 14 November 1988 and shown on the plan(s) accompanying such application, subject to the following conditions:-

- (1) The development to which this permission relates shall be begun within a period of 5 years commencing on the date of this notice.
(2) No work shall be started on the development hereby permitted until details of materials to be used externally shall have been submitted to and approved by the local planning authority, and the development hereby permitted shall be carried out in the materials so approved.
(3) No development shall take place until there has been submitted to and approved by the local planning authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development, and details of numbers, species and proposed planting location of all new trees, shrubs and hedgerows.

The reasons for the Council's decision to grant permission for the development subject to the above conditions are:-

- (1) To comply with the requirements of Section 41 of the Town & Country Planning Act, 1971.
- (2) To ensure a satisfactory appearance.
- (3) & (4) To maintain and enhance visual amenity.
- (5) To ensure an adequate standard of sound attenuation.
- (6) To ensure the adequate and satisfactory provision of off-street vehicle parking facilities.
- (7), (8) & (9) To safeguard the residential amenity of the area.
- (10) To ensure a satisfactory appearance.

Dated..... day of..... 19.....

Signed.....

Designation

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, Marsham Street, 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 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.

Conditions continued:-

- (4) All planting, seeding or turfing comprised in the approved details of landscaping, shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation, and for the purposes of this condition a planting season shall be deemed to commence in any one year on 1 October and to end on 31 March in the next following year.
- (5) Between the hours of 0800 and 2300 on Mondays to Saturdays inclusive, noise from operations conducted on the premises shall not exceed 60 dBA as measured on the south-west boundaries over any 15 minute period, and expressed as 15 minute equivalent continuous sound pressure level (Leq 15 mins). At any other time, noise from operations conducted on the premises and measured and expressed in a similar way shall not exceed 55 dBA (Leq 15 mins). The measurements shall be taken at a height of 1.2 m above ground level except where the site is enclosed by a wall or other sound opaque structure at or near the perimeter, when measurements shall be taken at a position high enough to measure the noise coming over the top of such a structure.
- (6) The development hereby permitted shall not be occupied until the arrangements for vehicle parking, circulation, loading and unloading shown on plan 4/2074/88. Drawing No. 50.114.8, shall have been provided, and they shall not be used thereafter otherwise than for the purposes approved.
- (7) The development hereby permitted shall not be used otherwise than for Class B1 (c) as defined in the Schedule to the Town and Country (Use Classes) Order 1989.
- (8) This permission relates solely to the four industrial units indicated as Phase IA, B, C and D on Plan No. 4/2074/88, Drawing No. 50.114.8 and to no other development.
- (9) No development shall take place until there has been submitted to and approved by the local planning authority details of boundary treatment adjacent to the buildings hereby permitted and, in particular, the adjoining area of car parking to the north-east and south-east of these buildings. These details shall include cross-sections through the site from the A5 trunk road to Long Meadow illustrating the proposed height of the car parking area in relation to the ground levels on either side of the site.
- (10) Before the development hereby permitted is occupied, the boundary fences, walls, hedges or other means of enclosure approved in accordance with the details required to be submitted by condition 9 shall be constructed or planted as approved and thereafter retained in accordance with the details so approved.

Dated Sixth April 1989

Signed



Designation CHIEF PLANNING OFFICER