

ADMINISTRATIVE COUNTY OF HERTFORD

The Council of the BOROUGH OF HEMEL HEMPSTEAD
~~URBAN DISTRICT OF~~
~~RURAL DISTRICT OF~~

TOWN & COUNTRY PLANNING ACT, 1962

To Commission for the New Towns, **and:** British Relay Ltd.,
Swan Court, 6 Giltspur Street,
Waterhouse Street, London, E.C.1.
Hemel Hempstead.

~~erection of aerial tower and equipment building for~~
~~radio and television reception and distribution~~
at ~~rear 65 Lays Road, Hemel Hempstead.~~

Brief description and location of proposed development.

In pursuance of their delegated powers under the above-mentioned Act and the Orders and Regulations for the time being in force thereunder, the Council on behalf of the Local Planning Authority hereby permit, in accordance with the provisions of Article 5(2) of the Town and Country Planning General Development Order, 1950~~63~~⁶³ the development proposed by you in your outline application dated **24th January 1964** and received with sufficient particulars on **24th January 1964** and shewn on the plan (~~B441~~) accompanying such application, subject to the following conditions:—

- 1. The approval of the local planning authority is required before any development is commenced to its—
*(a) siting; *(b) layout; *(c) design; *(d) external appearance; *(e) means of access.

L.

*Delete as necessary.

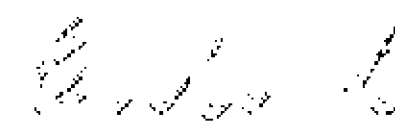
The permission is subject to the following conditions:-

- (1) The development shall be carried out in accordance with the Town and Country Planning Act 1962;
- (2) The development shall be carried out in accordance with the conditions of the planning permission granted by the Council;
- (3) The development shall be carried out in accordance with the conditions of the planning permission granted by the Council;
- (4) An application under the Clean Air Act, 1956;
- (5) The depositing of plans under the Electrical Insulation Act, 1907.

The reasons for the Council'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, 1958/63

Dated 6th day of February 19 64


Town Clerk/Surveyor of the Council

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 grant permission or approval subject to conditions, he may by notice served within one month of receipt of this notice, appeal to the Minister of Housing and Local Government in accordance with Section 23 of the Town and Country Planning Act, 1962. The Minister has power to allow a longer period for the giving of a Notice of Appeal and he will exercise his power in cases where he is satisfied that the applicant has deferred the giving of notice because negotiations with the local planning authority in regard to the proposed development are in progress. The Minister is not, however, required to entertain such 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 provisions of Section 17(1), 18(1) and 38 of the Act and 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 Minister of Housing and Local Government, 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 Council of the County District in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with Section 129 of the Town and Country Planning Act, 1962.

(4) In certain circumstances, a claim may be made against the local planning authority or the Minister of Housing and Local Government for compensation, where permission is granted subject to conditions by the Minister on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 123 and Part VI of the Town and Country Planning Act, 1962.

A N A G R E E M E N T made the *26th* day of *June* One thousand nine hundred and sixty-*four*
B E T W E E N THE MAYOR ALDERMEN AND BURGESSES of the BOROUGH OF
HEMEL HEMPSTEAD (hereinafter called "the Corporation") of the one
part and BRITISH RELAY LIMITED whose registered office is at
Giltspur House 6 Giltspur Street E.C.1 in the City of London
(hereinafter called "the Company") of the other part

W H E R E A S

- (1) The Company are the owners for the purpose of the Public Health Act 1936 of the land off Gatecroft in the Borough of Hemel Hempstead shown on the plan annexed hereto and thereon edged pink
- (2) The Company propose to construct on the said land an aerial tower and equipment building
- (3) One public foul sewer (with a diameter of 6 inches) and one public surface water sewer (with a diameter of 9 inches) run through the said land in the direction indicated by the red and green lines respectively on the said plan
- (4) The Company have for the purpose of the Corporation's building byelaws deposited with the Corporation plans numbered 8441/1 of such proposed aerial tower and equipment building (hereinafter called "the building") and have applied to the Corporation for such plans to be passed under the said byelaws and for the consent of the Corporation under section 25 of the Public Health Act 1936 to the erection of the building over the said public sewers
- (5) The Corporation are satisfied that the Corporation may properly pass the said plans numbered 8441/1 under the said byelaws (such passing being indicated by a formal notice of decision bearing date the sixteenth day of March One thousand nine hundred and sixty-four) and consent as aforesaid to the erection of the building over the said public sewers subject to the terms and conditions hereinafter expressed

NOW IT IS HEREBY AGREED that

1. For the purpose of section 25 of the Public Health Act 1936 the Corporation hereby consent to the construction by the Company of the building in accordance with the said plans numbered 8441/1 (which for the purpose of identification have been signed by the Mayor and Bailiff of Hemel Hempstead and by the Secretary of the Company) over the said public sewers
2. The Company shall not erect the building except in strict conformity in all respects with the said plans numbered 8441/1
3. The Company shall to the reasonable satisfaction of the Corporation's Borough Engineer for the time being secure the completion of the building in conformity with the following requirements that is to say

- (a) the total length of so much of the said public foul sewer as lies under the site of the building shall be exposed by excavation
 - (b) the part of the said public foul sewer so exposed shall be successfully subjected to a water test and shall then be surrounded with six inches of concrete
 - (c) one new manhole shall be constructed on the said public surface water sewer and one new manhole shall be constructed on the said public foul sewer in the respective positions immediately outside the extension shown on the said plan and marked respectively A and B
 - (d) that part of the floor slab of the building which is over the said public sewers shall for a width from a line ten feet to the west of the centre line of the said public surface water sewer to a line ten feet to the east of the centre line of the said public foul sewer be at least six inches thick and shall be sufficiently reinforced so as to protect the said public sewers from damage
 - (e) such parts of the walls of the building as cross the said public surface water sewer or the area excavated for the exposure of the said public foul sewer as aforesaid shall be respectively supported by and carried on beams of a strength adequate to avoid damage to the said public sewers
 - (f) the foundations of the building within ten feet of the area excavated when the said public surface water sewer was constructed and also those within ten feet of the area excavated for the exposure of the said public foul sewer as aforesaid shall be taken to such depths respectively as shall provide a solid bearing on undisturbed soil and as are below lines at the angle of repose of such undisturbed soil (ascertained in accordance with the British Engineering Code of Practice No.2) to the surface of the ground from the points where such undisturbed soil meets the lowest points of such excavated areas respectively nearest to the said formations provided that where any part of such foundations is below but immediately adjacent to the said public foul sewer the concrete of such foundations shall be kept physically separated from the concrete which by sub-clause (b) hereof is to surround the said public foul sewer
4. If any part of either of the said public sewers within the area shows hatched black on the said plan shall at any time require cleaning repair or improvement the Corporation shall so far as may be practicable do such work without entering upon or disturbing the building

PROVIDED ALWAYS that if and so far as it may be impracticable in the opinion of the Corporation's Borough Engineer for the time being to do any such cleaning repair or improvement without entering upon or disturbing the building then the Corporation their agents servants or contractors may under their statutory powers enter upon the building and do all such things as may be necessary for the execution of such work committing always as little damage as possible and reinstating the building at the conclusion of the work but the Corporation shall not be liable to pay any compensation to the Company for or arising out of anything necessarily done by the Corporation their agents servants or workmen in a proper manner in pursuance of this clause AND the Company shall be liable to pay to the Council on demand so much of the cost of such work as the Corporation's Borough Engineer for the time being shall certify in writing to be due to (a) any damage caused to the said public sewers or either of them by the erection or maintenance of the building and (b) the increased difficulty of executing such work in consequence of the existence of the building and (c) the necessity (if such be the case) of disturbing and reinstating the building

IN WITNESS whereof the parties hereto have hereunto caused their respective common seals to be affixed the day and year first before written

THE COMMON SEAL OF THE MAYOR ALDERMEN
AND BURGESSES OF THE BOROUGH OF HEMEL
HEMPSTEAD was hereunto affixed in the
presence of:-

LS

Paul H. Black

Mayor and Bailiff

C. W. Turner

Town Clerk

*Sealed also by
The Company*

DATED

26 June

1964

THE CORPORATION OF HEMEL HEMPSTEAD

and

BRITISH RELAY LIMITED

A G R E E M E N T

in connection with the construction of
an aerial tower and equipment building
over public sewers off Gatecroft

Town Clerk,
Town Hall,
Hemel Hempstead.