

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Town Planning Ref. No. 4/0049/87
Other Ref. No.

THE DISTRICT COUNCIL OF DACORUM

IN THE COUNTY OF HERTFORD

To Fairview New Homes Ltd., 50 Lancaster Road, Enfield, Middlesex. Messrs. Irons Cobert & Styles, 29 The Green, Winchmore Hill, London N21 1HS.

Residential development (Outline) at Land adjacent to Hall Park Garage, London Road, Berkhamsted, 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 Orders 1977 the development proposed by you in your outline application dated 9 January 1987 and received with sufficient particulars on 12 January 1987 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. Details submitted in accordance with Condition 1 of this permission shall include a tree survey of the site recording the species, height, crownsread, bole diameter, age and condition of all the trees, and the height and spread of all the hedgerows located on the site, indicating those trees and hedges which it is proposed to remove.

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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 - 81
2. To comply with the requirements of Section 42 of the Town and Country Planning Act, 1971.
3. To maintain and enhance visual amenity.
4. To maintain and enhance visual amenity.
5. To maintain and enhance visual amenity.
6. To ensure the proper and satisfactory layout and development of the site.
7. To ensure the proper and satisfactory layout and development of the site.
8. In the interests of highways safety. by means of
9. To ensure the adequate and satisfactory provision of off-street vehicle parking facilities.
10. To ensure the adequate and satisfactory provision of off-street vehicle parking facilities.

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 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.

4. The landscaping details submitted in accordance with Condition 1 hereof 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.
5. 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 during the construction of the development or 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.

6. The details submitted in accordance with Condition 1 hereof shall include:-

- (a) plans, sections and details of the construction and layout of roads, footways, footpaths and lighting;
- (b) plans, sections and details of the construction of foul and stormwater drainage;

and no part of the development hereby permitted shall be occupied until these parts of the roads, footways, footpaths (with the exception of final surfacing), foul and stormwater drainage serving it shall have been constructed in accordance with the approved plans. Such residual final surfacing shall be carried out within six months of the said occupation which the roads, footpaths and footways serve or such longer period as the local planning authority may approve.

(NOTE: Full details of the road works proposed should be submitted to and approved by the local highway authority before any work is commenced on site).

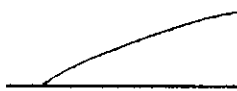
7. The details referred to in Condition 1 and 6 (a) hereof shall be constructed in accordance with the specification of Hertfordshire County Council set out in "Residential Roads in Hertfordshire 1982" (or any amendments thereto), unless the local planning authority gives written consent to any other variation.
8. The details referred to in Condition 1 and 6 (a) hereof shall include the provision of visibility sight lines measuring 2.4m x 70m within which there shall be no obstruction to visibility between 600m and 2.0m above carriageway level.

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9. Details submitted in accordance with Condition 1 of this permission shall include detailed proposals for vehicle parking within the site in accordance with standards adopted by the local planning authority.
10. The development hereby permitted shall not be occupied until parking arrangements approved in accordance with Condition 9 hereof shall have been provided and they shall not be used thereafter for any purpose other than the parking of vehicles.
11. No work shall be started on the development hereby permitted until full details of a scheme for maintenance and management of land forming any area of open space, landscaping, or amenity greens or other similar land not forming part of the residential curtilage of a dwellinghouse shall have been submitted to and approved by the local planning authority and all such land shall be shown and clearly designated as such land on the details submitted in accordance with Condition 1 hereof.
12. The details submitted in accordance with Condition 1 hereof shall include:-
 - (a) a survey of the site showing existing and proposed levels and other natural features;
 - (b) refuse collection facilities;
 - (c) boundary fencing/walling/hedging;and no part of the development hereby permitted shall be occupied until the items so approved in relation to any such part shall have been provided.
13. Details submitted in accordance with Condition 1 hereof shall include longitudinal sections through any private drive and through each of the individual access drives where such drives contain gradients in excess of 1 in 14. (Note: significant changes in drive gradients should be dealt with by way of vertical curves).
14. The details submitted in accordance with Condition 1 hereof shall include a scheme for protecting the proposed residential units from noise from the adjacent trunk road (London Road).
15. No part of the development hereby permitted shall be occupied until the details approved in accordance with Condition 14 hereof shall have been provided.

Dated 9th April 1987

Signed


Chief Planning Officer

