

Town Planning Ref. No. 4/0094/88

Other Ref. No.

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

THE DISTRICT COUNCIL OF DACORUM IN THE COUNTY OF HERTFORD

To Alath Construction Ltd Mr A E King 24 Lincoln Court Dovecot Barn Berkhamsted Alder Park Meadows Herts Long Marston Tring

Two detached houses at Wayfarers Shootersway Lane Berkhamsted

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 18.1.88 and received with sufficient particulars on 20.1.88 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) Sight lines of 2.4 by 35 m shall be provided in each direction within which there shall be no obstruction to visibility between 600mm and 2.0 m above carriageway level. (4) Details of the species of trees to be planted along the boundaries of the site and within the front gardens of Plots 1 and 2 shall be submitted to and approved by the local planning authority prior to the commencement of the development. (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 within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be

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) In the interests of highways safety.
- (4) To maintain and enhance visual amenity.
- (5) To maintain and enhance visual amenity.
- (6) To maintain and enhance visual amenity.
- (7) To identify the position of the preserved tree on the site prior to the commencement of the development and to safeguard the specimen during constructional works.
- (8) In the interests of safeguarding the preserved tree at the site.
- (9) In the interests of safeguarding the preserved tree at the site.

Dated..... **Twenty-ninth** ..... day of..... **March** ..... 19.. **80**

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 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.

## Condition (5) continued:-

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 trees and hedges abutting the common boundary with 'Cherry Trees' and the adjoining access to Wayfarers Park shall be protected during the period of construction and any trees or such part or parts of the hedges as become damaged or destroyed shall be replaced within the planting season following completion of the development.
- (7) The siting of Plot 2 shall be pegged out and the preserved tree shown in yellow on Drawing No. WC/00A shall be clearly marked and fenced prior to the commencement of constructional works. The preserved tree should during construction be protected at all times by a chestnut paling fence of 1.5 m in height around the full extent of the canopy or such lesser extent as may be agreed in writing with the local planning authority, the fencing only to be removed when the development (including underground works) has been completed, and none of the land within the fenced area beneath the canopy shall be used for development including the storage of goods and materials in connection with building operations or other purposes.
- (8) There shall be no excavations within 5 m of the preserved lime tree following the completion of the development hereby permitted.
- (9) Notwithstanding the provisions of the Town and Country Planning General Development Order (Class I:1, Class 1.4 and Class II:2) there shall be no alteration to the external appearance of the front elevation of Plot 2 or the enlargement of the hardstanding for vehicles or new vehicular access without prior approval in writing of the local planning authority.

Dated Twenty-ninth day of March 1988

Signed  .....

Designation - chief Planning Officer