

Resolved:

That provided the application is not called in by the Secretary of State for his own decision the application be delegated to the Chief Planning Officer to determine.

1175. PLAN NO. 4/0281/85. FORMATION OF CAR PARK. LAND AT JUNCTION OF SHENLEY ROAD/VALLEY GREEN, HEMEL HEMPSTEAD. FAIRVIEW ESTATES (INVESTMENTS) LIMITED

Resolved:

That the planning application be delegated to the Chief Planning Officer to determine.

1176. PLAN NO. 4/0297/85DC. ERECTION OF 30 (ONE AND TWO PERSON) DWELLING UNITS. FLETCHER WAY (PASTON ROAD). DIRECTOR OF HOUSING AND HEALTH, DACORUM BOROUGH COUNCIL

Resolved:

That the development be carried out pursuant to provisions of Regulation 4 (5) of the Town and Country Planning General Regulations 1976.

1177. PLAN NO. 4/0302/85. CHANGE OF USE FROM RETAIL AND RESIDENTIAL TO RETAIL AND OFFICE USE. 15 WESTERN ROAD, TRING. FOTORAMA (UK) LTD

Resolved:

- (1) That the application be refused for the reasons set out in the appendix to these minutes.
- (2) That enforcement action be authorised to secure cessation of the unauthorised office use.

1178. PLAN NO. 4/0317/85DC. RESIDENTIAL DEVELOPMENT, GOSSOMS END, BERKHAMSTED. HOUSING COMMITTEE, DACORUM BOROUGH COUNCIL

Resolved:

That this application be deferred.

AJP

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Town Planning
Ref. No. 4/0281/85Other
Ref. No.

THE DISTRICT COUNCIL OF DACORUM

IN THE COUNTY OF HERTFORD

To Fairview Estates (Investments) Limited
Frogmore Hall
Watton-at-Stone
Hertford

| |
|---|
| Formation of car park |
| |
| at ... Land at Shenley Road/Valley Green, Hemel Hempstead ... |
| |

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 6th March 1985 and received with sufficient particulars on 8th March 1985 (amended 9th May 1985) 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 until a detailed scheme of landscaping for the site shall have been submitted to and approved by the local planning authority. This landscaping scheme shall be implemented in the first planting season following the first use of the development hereby permitted, and any trees or plants which, within a period of five years from such first use, 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 other variation.
- (3) No work shall be started on the development hereby permitted until details of drainage works shall have been submitted to and approved by the local planning authority and the development hereby permitted shall not be brought into use until the said drainage works shall have been carried out in accordance with approved details.

- (4) There shall be no direct vehicular access to either Shenley Road or Valley Green.

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 maintain and enhance visual amenity.
- (3) To ensure satisfactory arrangements are provided for the disposal of storm water.
- (4) In the interests of highway safety and the amenities of adjoining residents.

Dated.....16th.....day of.....May.....19..85..

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.