

1220/88
Nigel X

Town Planning
Ref. No. 4/0289/88

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Other
Ref. No.

THE DISTRICT COUNCIL OF DACORUM

IN THE COUNTY OF HERTFORD

To Mr A Gowland
41 Manorville Road
Apsley
Hemel Hempstead
Herts

D Clarke
47 Gravel Lane
Hemel Hempstead
Herts

Two dwellings

at ... 67 Kings Road, 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 16 February 1988 and received with sufficient particulars on 18 February 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) The ridge level of the dwelling coloured yellow on Drawing No 87230/2A shall be no higher than 5 ft above the ridge level of No 65 Kings Road, Berkhamsted.
- (3) The poplar tree shown on Drawing No 87230/2A shall be retained and shall be fenced prior to the commencement of constructional works. The tree should, during construction works, be protected at all times by a chestnut paling fence 1.5 m high erected at the full extent of its canopy and the fencing shall be removed only when the development has been completed.
- (4) The detached garage abutting the common boundary with No 65 Kings Road shall be constructed with pile and ground beam foundations.

/Conditions continued on attached sheet...

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) For the avoidance of doubt and in the interests of the character of the street scene.
- (3) To safeguard the poplar tree during construction works.
- (4) In the interests of safeguarding the nearby poplar tree which is of high amenity value.
- (5) " " " "
- (6) To maintain and enhance visual amenity.
- (7) To ensure that vehicles may enter and leave the site in forward gear.
- (8) In the interest of highway safety.
- (9) To ensure a satisfactory appearance.
- (10) In order that the local planning authority may retain control over further development in the interests of residential and visual amenity.
- (11) In the interest of highway safety.

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 /Cont'd...

- (5) Excavations for the garage referred to in Condition 4 shall be hand dug.
- (6) The existing hedges on all boundaries of the site shall be protected during the period of construction and such part or parts of the hedges as become damaged shall be replaced within the planting season following completion of development.
- (7) The development hereby permitted shall not be occupied until the turning and parking areas shown on Drawing No 87230/2A shall have been provided and shall not be used thereafter for any purpose other than the turning of vehicles.
- (8) The existing access shall incorporate a kerb radius of 4.5 m on its north eastern side.
- (9) The external walls and roofs of the development hereby permitted shall be constructed and finished in accordance with a schedule of materials and finishes which shall be submitted to and approved by the local planning authority before development is commenced.
- (10) Notwithstanding the provisions of the Town and Country Planning General Development Orders 1977-1987 or any amendments thereto, there shall be no extension or addition to the dwellinghouses hereby permitted or any fence erected along the common boundary between the application site and No 65 Kings Road without express permission of the local planning authority.
- (11) There shall only be one point of access to Kings Road, as shown on Drawing No 87230/2A.

Dated 31 day of May 1988

Signed 

Designation CHIEF PLANNING OFFICER