

Town Planning  
Ref. No. 4/0327/81

Other

Ref. No.

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

THE DISTRICT COUNCIL OF

HERTFORD

IN THE COUNTY OF HERTFORD

To Roger Malcolm Limited,  
Malcolm House,  
Empire Way,  
WIMBORLEY,  
Middlesex.

73 Houses, 22 Flats, 5 Bungalows, Garages and  
Estate Roads,  
at Land off High Street, Northchurch.

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 11th March, 1981, and received with sufficient particulars on 12th March, 1981, 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 comprehensive scheme of landscaping for the site including existing trees, hedges and the course of the River Bulbourne, shall have been submitted to, and approved by, the local planning authority. This landscaping scheme shall be implemented in accordance with the approved details in the first planting season following the first rateable occupation of any part of the development hereby permitted and maintained thereafter to the reasonable satisfaction of the local planning authority.
- (3) The trees edged green on plan No. 117:100c shall be retained as part of the scheme of development hereby permitted and shall be protected from damage for the duration of the development. These trees shall not be wilfully damaged or destroyed, uprooted, felled, lopped or topped during that period without the previous written consent of the local planning authority. Any such trees removed without such consent or dying or being severely damaged or becoming seriously diseased during that period shall be replaced with trees of such size and species as may be agreed with the local planning authority.

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) In the interests of visual amenity.
- (4) To ensure proper development in the interests of visual and general amenity.
- (5) In the interests of visual amenity.
- (6) In the interests of road safety.
- (7) In the interests of road safety.
- (8) To ensure proper development of the site and in the interests of general amenity.
- (9) To avoid unnecessary traffic hazards on the adjoining public highway and to ensure the proper future development of the area.
- (10) To ensure that adequate and satisfactory provision is made for the garaging and parking of vehicles associated with the development clear of the highway.

/Reasons continued on separate sheet ...

Dated.....6th.....day of.....May,.....1981.

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.

Roger Malcolm Limited,  
WEMBLEY.

Conditions continued ....

- (4) Notwithstanding the provisions of the Town and Country Planning General Development Order 1977 or any amendments thereto, no gate, fence, wall, hedge or other means of enclosure shall be provided in front of any wall or any dwelling hereby permitted that front on a highway (including a mews court) unless express planning permission shall have been granted by the local planning authority on an application in that behalf.
- (5) The areas of land shown edged yellow on plan No. 117:100c shall be maintained as open amenity areas to the satisfaction of the local planning authority and the development hereby permitted shall not be occupied until such areas have been provided.
- (6) Visibility sight lines shall be provided as set out in the following Table within which there shall be no obstruction more than 1 metre in height above carriageway level.

Table

Road junction	Visibility sight lines
A41/Road 1	4.5 m x 90 m
Road 1/Road 2	2.4 m x 35 m
Road 1/Road 6	4.5 m x 35 m
Road 1/Road 10	4.5 m x 90 m
Road 3/Road 4	2.4 m x 35 m

- (7) None of the dwellings hereby permitted shall be occupied until the sight lines referred to in condition 6 shall have been provided and they shall be so maintained at all times thereafter. In addition, kerb radii to roads 2, 6 and 10 shall be 10.5 metres.
- (8) Roads 1 and 4 shall be laid out and substantially constructed to the reasonable satisfaction of the local planning authority with the exception of final surfacing before the remainder of the development hereby permitted is commenced. In any event, all roads and mews courts shall be provided and substantially constructed to enable clear and convenient access to be gained to every dwelling before it is occupied.
- (9) The roads and mews courts shall be laid out strictly in accordance with the details hereby permitted and in particular Road 4 shall extend to the eastern boundary of the site.

/continued...

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conditions continued ....

- (10) None of the dwellings hereby permitted shall be occupied until the associated garage courts and casual parking spaces shown on plan 117:100c shall have been provided, and these facilities shall be maintained at all times thereafter.
- (11) Facilities for archaeological observation consistent with the proposed development, and the right of regular access to the site before the construction of the proposed development to make archaeological records by persons authorised by the local planning authority, shall be provided in accordance with a timetable and scheme agreed in writing with the local planning authority prior to the commencement of any works on site authorised by this permission.
- (12) The development hereby permitted shall not be carried out and this permission shall be of no effect if the permissions referred to below are at any time implemented:-

<u>Ref. No.</u>	<u>Development</u>	<u>Date of permission</u>
(a) 4/0595/78	85 houses	22nd June, 1978
(b) 4/1849/79DC	15 houses	7th February, 1980

- (13) The trunk road works referred to in the note "junction of High Street A41/access road to D.D.C. details drawing No. 7/06/2/7" on drawing No. 117:110c and at least the first 30 metres of the new access road shall be completed before any other construction work on the site is commenced.
- (14) 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.
- (15) The details submitted in accordance with condition (2) hereof shall include boundary treatment.
- (16) All garages which are not integral with the houses shall be built at the same time as the associated housing.

Dated ..... 6th ..... day of ..... May ..... 1981

Signed .....

Designation Chief Planning Officer  
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Roger Malcolm Limited,  
WEMBLEY.

Reasons for Conditions continued ....

- (11) To enable the local planning authority to maintain control of the development in the interests of avoiding damage to the area of archaeological interest which falls within the site of this development.
- (12) The present permission is alternative to and not additional to the earlier permissions referred to.
- (13) To ensure that vehicles using the site do so with a minimum of interference and danger to trunk road traffic.
- (14) To ensure satisfactory appearance.
- (15) To ensure the proper development of the site.
- (16) To ensure that adequate and satisfactory provision is made for the garaging of vehicles associated with the development.

Dated ..... 6th ..... day of ..... May ..... 1981.

Signed  .....

Designation Chief Planning Officer  
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