

TOWN AND COUNTRY PLANNING ACTS, 1971 TO 1974

BUILDINGS OF SPECIAL ARCHITECTURAL
OR HISTORIC INTEREST

Town Planning

Ref. No. 4/0342/88/LB.

Other

Ref. No.

THE DISTRICT COUNCIL OFDACORUM.....

IN THE COUNTY OF HERTFORD

To:

Saker Contracting
Brickwall Cottage
Frithsden
Near Hemel Hempstead, Herts.Derek W Rogers RIBA
Architect
48 High Street
Tring, Herts. HP23 5AG

.....Three Dwellings: Conversion of Central Barn.....
to Two Dwellings: Reconstruction of East Barn.....
 atto form Offices.....
Church Farm, Pipers Hill, Great Gaddesden.....
 Herts.

Description and
location of
proposed works

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 grants listed building consent to the works described above and proposed by you in your application dated22.2.88..... and received with sufficient particulars on24.2.88..... and shown on the plan(s) accompanying such application subject to the following conditions:

1. The works to which this consent relates shall be begun within a period of five years commencing on the date of this notice.
2. The works shall be carried out in a proper traditional and workmanlike manner in all respects.
3. 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.
4. No works shall be carried out to the Central Barn until full details of the internal alteration shown on Drg. Nos: 1742 PD/2, 1742/PD/3 and 1742 PD/4 shall have been submitted to and approved by the local planning authority.

Please Turn Over

The reasons for the Council's decision to grant listed building consent for the works proposed subject to the above conditions are:

1. To comply with the provisions of 5.56A of the Town and Country Planning Act 1971.
2. In the interests of preserving the character and appearance of the building.
3. To ensure a satisfactory appearance.
4. In the interests of preserving the character and appearance of the building.

Dated THIRD day of JUNE 19 88

Signed *Colin Barnett*

Designation CHIEF PLANNING OFFICER

NOTE

1. If the applicant is aggrieved by the decision of the local planning authority to refuse listed building consent for the proposed works, or to grant consent subject to conditions, he may, by notice served within six months of receipt of this notice, appeal to the Secretary of State for the Environment in accordance with part one Schedule 11 to the Town and Country Planning Act, 1971. The Secretary of State has power to allow a longer period for the giving of a notice of appeal and he will exercise his power in cases where he is satisfied that the applicant has deferred the giving of notice because negotiations with the local planning authority in regard to the proposed works are in progress.

2. If listed building consent 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 works which have been or would be permitted, he may serve on the council of the county district, in which the land is situated a listed building purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Section 190 of the Town and Country Planning Act, 1971.

3. 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 171 of the Town and Country Planning Act, 1971.

Attention is drawn to Section 55(2)(b) of the Act, the effect of which is that demolition may not be undertaken (despite the terms of the consent granted by the local planning authority) until notice of the proposal has been given to the Royal Commission on Historical Monuments, Fortress House, 23 Saville Row, London W1X 2HE, and the Commission subsequently have either been given reasonable access to the building for at least one month following the grant of consent, or have stated that they have completed their record of the building or that they do not wish to record it.

WMD 20.4.88 10.4 1301205 1670 CA

THIS AGREEMENT is made the 4th day of October One thousand nine hundred and eighty-eight BETWEEN DACORUM BOROUGH COUNCIL of Civic Centre Marlowes Hemel Hempstead Hertfordshire HP1 1HH (hereinafter called "the Council") of the first part and KEITH IAN MCKAY of Church Farm Pipers Hill Great Gaddesden Hertfordshire (hereinafter called "the Developer") of the second part.

WHEREAS :

- (1) The Council is the local planning authority for the purposes of the Town and Country Planning Act 1971 for the Borough of Dacorum
- (2) The Developer has made application to the Council for planning permission under reference number 4/0341/88 for the erection of three dwellings the conversion of the Central Barn to two dwellings and the reconstruction of the East Barn to form offices (all such works aforesaid hereinafter called "the Entire Development") at Church Farm Pipers Hill Great Gaddesden Hertfordshire shown edged red on the plan A annexed hereto
- (3) The Developer is the owner in unencumbered fee simple of the land ^{edged} ~~coloured~~ red on plan A

NOW THIS DEED WITNESSES as follows:

1. THIS Agreement and the covenants herein contained are expressly made pursuant to s.52 of the Town and Country Planning Act 1971 and s.33 of the Local Government (Miscellaneous Provisions) Act 1982
2. IN the event that planning permission is granted pursuant to Application No 4/0341/88 this Agreement shall have full force and effect but not otherwise
3. IN consideration of the covenants on the part of the Developer hereinafter contained the Council hereby covenants with the Developer that the Council will forthwith grant planning

permission in respect of the Application subject to the conditions set out in the Schedule hereto

4. THE Developer hereby covenants with the Council:-

- (a) to implement that part of the Entire Development described in clause (e) below hereby given planning permission and not to fail to implement any part thereof without the express consent evidenced in writing of the Council's Chief Planning Officer for the time being (hereinafter called "the Chief Planning Officer")
- (b) that none of the dwellings shown as House A House D and House E (hereinafter called "the said Houses") on Drawing No 1742 PD/1 of the planning application (hereinafter called "the said Drawing") shall be rateably occupied nor shall disposals of them (within the meaning given by s.290 of the Town and Country Planning Act 1971) be made until the construction of the offices on the site of the former East Barn (including the incorporation of the four pairs of cruck blades) shall have been completed to the satisfaction as evidenced in writing of the Chief Planning Officer
- (c) that none of the said houses shall be rateably occupied nor shall disposals of them (within the meaning given by s.290 of the Town and Country Planning Act 1971) be made until the conversion of the Central Barn shall have been completed to the satisfaction as evidenced in writing of the Chief Planning Officer
- (d) that notwithstanding the provisions of the Town and Country General Development Order for the time being or any statutory re-enactment or modification thereof there shall be no extensions to any of the buildings shown on the said Drawing and no variation of the external appearance of any of the said buildings shall be carried out unless in either case the Chief Planning Officer shall have first given his approval in writing
- (e) that if that part of the Entire Development consisting of the construction of the buildings identified as East Barn House D and House E on the said Drawing and the repair and conversion of the building identified as Central Barn on

the said Drawing has not been commenced within a period of two years from the date hereof and been completed within a period of four years from the date hereof (or in the latter case such longer period as may be agreed in writing by the Chief Planning Officer) the Council may take such steps as it considers appropriate for carrying out the said part of the Entire Development after giving to the Developer not less than seven days notice in writing of its intention to do so

- (f) that they will pay the expenses incurred by the Council in carrying out any part of the Entire Development referred to in clause (e) above on receipt of a notice from the Council setting out the said expenses
- (g) to pay the sum of EIGHTY POUNDS (£80.00) for the preparation of this Agreement on the signing hereof

5. THIS Agreement shall be registered as a Local Land Charge

THE SCHEDULE

1. The development to which this permission relates shall be begun within a period of two 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 as so approved
3. No development shall take place until there has been submitted to and approved by the local planning authority a scheme of landscaping which shall include details of all roads driveways parking areas and paved areas hard surfaces and external works together with boundary treatment and indications of all existing trees and hedges showing which are to be retained and what measures are to be taken for their protection in the course of development.

4. All the approved details of the landscaping scheme referred to in condition (3) above shall be carried out in the first planting season following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees or plants which within a period of five years from the completion of the landscaping 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
5. No element of the development shall be occupied until the arrangements for vehicle garaging and parking associated with it and shown on Drawing No 1742 PD/1 shall have been provided and these areas shall not thereafter be used for any purpose other than the parking of vehicles
6. The building identified as 'Offices East Barn' on Drawing No 1742 PD/1 shall only be used for a purpose falling within Class B1(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to this Class in any statutory instrument revoking and re-enacting that Order
7. No development shall take place until a scheme for protecting the houses lettered 'A' and 'E' on Drawing No 1742 PD/1 from transmitted noise shall have been submitted to and approved by the local planning authority
8. Notwithstanding the provisions of the Town and Country Planning General Development Order 1977 (as applied by the Town and Country Planning (National Parks, Areas of Outstanding Natural Beauty and Conservation Areas) Special Development Order 1985) (or any Orders amending revoking and re-enacting these Orders) no development comprised within Classes I and II of the 1977 Order shall be carried out nor shall there be any alteration to the external appearance of the buildings hereby permitted other

than with express planning permission granted by the local planning authority

9. The development hereby permitted shall not be carried out otherwise than in accordance with the plans listed below and with the other details submitted with the application apart from such variations as may have been agreed in writing with the local planning authority or as may be required by any other conditions attached hereto

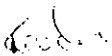
LIST OF PLANS REFERRED TO


Drawing No	Title
1742 PD/1	Site/Roof Plan
1742 PD/2	Ground Floor and Elevations
1742 PD/3	First Floor and Elevations
1742 PD/4	Sections/Courtyard Elevations

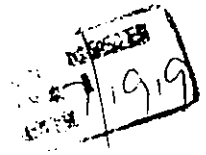
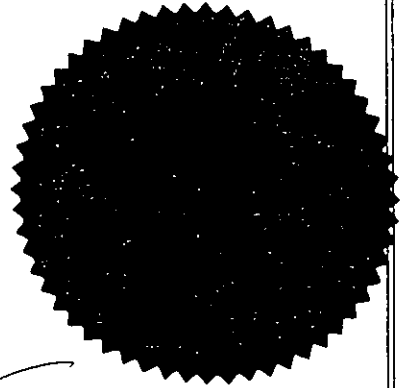
10. Provision shall be made for a sight line measuring 2.4 m x 30 m in a north-easterly direction from the centre line of the access from Pipers Hill within which there shall be no obstruction more than 600 mm above carriageway level
11. The development hereby permitted shall not be occupied until the sight line referred to in condition 10 above shall have been provided and it shall be so maintained at all times thereafter
12. The car parking spaces notated 9-14 inclusive on Drawing No 1742 PD/1 shall be kept available for the use only by occupiers of or visitors to the offices in the East Barn
13. No works shall be carried out to the Central Barn until full details of the internal alterations shown on Drawing Nos 1742 PD/2 and 1742 PD/3 shall have been submitted to and approved by the local planning authority

IN WITNESS whereof the parties hereto have respectively set
their Common Seal and hands the day and year first before written

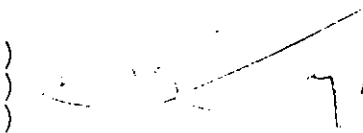
THE COMMON SEAL of
DACORUM BOROUGH COUNCIL
was hereunto affixed in the
presence of:-


Chief Executive


Assistant Secretary
(Admin)



SIGNED SEALED AND DELIVERED
by the said
KEITH IAN MCKAY


71

Witness

Address

Occupation

[Faint handwritten text for witness details]

DATED 4th October

1988

DACORUM BOROUGH COUNCIL

and

KEITH IAN MCKAY

AGREEMENT

under s.52 of the Town and
Country Planning Act 1971
and s.33 of the Local Government
(Miscellaneous Provisions) Act 1982
in respect of Church Farm
Pipers Hill
Great Gaddesden
Hertfordshire

Keith Hunt
Borough Secretary
Dacorum Borough Council
Civic Centre
Marlowes
Hemel Hempstead
Hertfordshire
HP1 1HH

File Ref: TM/AJP/2447/186/BS.6/5.88/ENG 7.88