

Town Planning 4/0447/78  
 Ref. No. ....

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Other  
 Ref. No. ....

THE DISTRICT COUNCIL OF ..... DACORUM .....  
 IN THE COUNTY OF HERTFORD

To Alath Construction Ltd.,  
 Medlar Tree,  
 Gravel Path,  
 BERKHAMSTED,  
 Herts.

Messrs. Earl A. Kenworthy Associates,  
 Goodacres,  
 Goodacres Lane,  
 Lacey Green, Aylesbury  
 BUCKS.

16 Dwellings and Estate Road

at Land rear of "The Whins" and "Loughrigg", Gravel Path,  
 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 7th April, 1978 and received with sufficient particulars on 12th April, 1978 (as amended 31.5.78) 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 shall have been submitted to, and approved by, the local planning authority. This landscaping scheme shall be implemented strictly in accordance with the approved details in the first planting season following first rateable occupation of the development hereby permitted and maintained at all times thereafter to the reasonable satisfaction of the local planning authority.
- (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.
- (4) Adequate arrangements shall be made to the satisfaction of the local planning authority for the protection of all trees on the site, which are to be retained, to prevent damage during constructional works. Any trees accidentally damaged shall be replaced by approved species in the first planting season thereafter.
- (5) The existing natural hedge on the frontage of the access road and adjacent to the sub-station on the boundaries of the whole site shall be retained and thickened where necessary and adequate arrangements to the reasonable satisfaction of the local planning authority made to prevent damage during constructional works.

- (6) The access shall include the provision of 62 m. x 4.5 m. sight lines with minimum kerb radius of 9 m.
- (7) Within the sight lines referred to on condition (6) hereof there shall be no obstruction more than 1 m. in height above the carriageway level.

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), (4) & (5) To maintain and enhance visual amenity.
- (3) To ensure satisfactory appearance.
- (6) & (7) To ensure adequate visibility in the interests of road safety.

Dated..... 1st ..... day of..... June, ..... 19 78.

Signed.....

Designation Director of Technical Services.

#### 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, Whitehall, 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.

## FORM 5

## COMMUNITY LAND ACT 1975

## NOTICE OF INTENTION BY AUTHORITY UNDER PARAGRAPH 5 OF SCHEDULE 7

To Alath Construction Ltd., c/o Earl A. Kenworthy Associates  
Goodacres, Goodacres Lane, Lacey Green, Bucks

1. An application for planning permission dated 7th April, 1978  
 made by Alath Construction Ltd.  
 was on 31st May, 1978 received by  
Dacorum District Council

This application was for Sixteen dwellings and an estate road on land rear  
of 'The Whins' and 'Loughrigg' Gravel Path, Berkhamsted.

2. Under the Community Land Act 1975 it is the duty of all authorities whose areas include the land to which an application for relevant development relates to state whether or not any of them intend to acquire the land or any part of it. The authorities concerned are—

Dacorum District Council and  
Hertfordshire County Council

3. This notice is given by Dacorum District Council  
 who consider the application to be an application for relevant development and (if planning permission is granted in accordance with the application),

- (i) ~~INTEND TO ACQUIRE all the land to which the application relates (shown on the plan accompanying this notice)~~  
 (ii) ~~INTEND TO ACQUIRE that part of the land to which the planning application relates which is shown on the plan accompanying this notice~~  
 (iii) ~~do NOT intend to acquire any part of the land to which the planning application relates [and shown on the plan accompanying this notice subject to the following conditions]~~  
 (iv) ~~do NOT intend to acquire that part of the land to which the planning application relates shown on the plan accompanying this notice subject to the following conditions~~

8561 11 12

**Hertfordshire County Council**

4. This notice is also given on behalf of .....  
who consider the application to be an application for relevant development and (if planning permission is granted in accordance with the application)

- (i) ~~INTEND TO ACQUIRE any land to which the application relates (shown on the plan accompanying this notice)~~
- (ii) ~~INTEND TO ACQUIRE any part of the land to which the planning application relates which is shown on the plan accompanying this notice~~
- (iii) do NOT intend to acquire any part of the land to which the planning application relates [and shown on the plan accompanying this notice] ~~subject to the following conditions~~
- (iv) ~~do NOT intend to acquire any part of the land to which the planning application relates shown on the plan accompanying this notice subject to the following conditions~~

Signed: *A. H. Lewis*  
Designation: **Director of Technical Services**  
On behalf of: **Dacorum District Council & Hertfordshire County Council.**  
Date: **24th July 1978**