

Town Planning 4/0545/89

Ref. No. ....

## TOWN &amp; COUNTRY PLANNING ACTS, 1971 and 1972

Other

Ref. No. ....

DACORUM

THE DISTRICT COUNCIL OF

IN THE COUNTY OF HERTFORD

C.G. Wilkins Ltd.  
87 Glengall Road  
Woodford Green  
Essex

To

One dwelling
at Adj. The Briars, Shootersway Lane, Berkhamsted, Herts

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 undated 28 March 1989 and received with sufficient particulars on ..... and shown on the plan(s) accompanying such application, subject to the following conditions:—

5

- (1) The development to which this permission relates shall be begun within a period of ..... years commencing on the date of this notice.
- (2) Before the development hereby permitted is first occupied, a 1.8m close boarded fence shall be erected along the southern boundary of the site and shall be maintained as such at all times thereafter.
- (3) The existing hedges along the northern, eastern and western boundaries of the site shall be retained to the reasonable satisfaction of the local planning authority.

Cont.

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 ensure a degree of privacy.
- (3) To maintain visual amenity and to prevent loss of privacy to adjacent occupiers.
- (4) To safeguard potential damage to the Tree T12 covered by Tree Preservation Order No. 149 of 1987.
- (5) To ensure privacy to dwellings recently permitted at the adjacent site at Lane End.
- (6) To maintain visual amenity and to prevent loss of privacy to adjacent occupiers.
- (7) To maintain visual amenity and to prevent loss of privacy to adjacent occupiers.
- (8) In order that the local planning authority may retain control over further development in the interests of safeguarding Tree T12 covered by Tree Preservation Order No. 149 of 1987.
- (9) For the avoidance of doubt.
- (10) To maintain visual amenity and to prevent loss of privacy to adjacent occupiers.

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.

Ref. 4/0545/89

- (4) All excavations required to lay out and construct the drive and turning area shall be carried out by hand and not by the use of powered machinery.
- (5) Notwithstanding the provisions of the Town and Country Planning General Development Order 1988, or any amendment thereto, there shall be no windows or other openings at first floor level on the north east side of the dwelling hereby permitted without the express consent of the local planning authority.
- (6) There shall be no excavations within 5 metres of the preserved oak tree coloured yellow on the approved drawing.
- (7) The preserved oak tree referred to in Condition 5 shall be fenced with a 1.5 metre high chestnut paling fence, prior to the commencement of constructional works. The fence shall be located at a distance of 5 metres from the base of the trunk into the site and shall only be removed when the development (including any underground works) has been completed and none of the land within the fenced area shall be used for the storage of goods and materials in connection with building operations or other purposes.
- (8) Notwithstanding the provisions of Schedule 2 (Part 1 Class E and G) of the Town and Country Planning General Development Order 1988 or any amendment thereto, there shall be no hard surface formed or domestic fuel storage container provided within the area coloured purple on the approved plan without the prior approval in writing of the local planning authority.
- (9) The refuse collection point shown on the approved plan shall be provided prior to the occupation of the dwellinghouse hereby permitted.
- (10) Notwithstanding the provisions of Schedule 2 (Part 2 Class A) of the Town and Country Planning General Development Order 1988 or any amendment thereto there shall be no wall or other means of enclosure erected within the area coloured purple on the approved plan without the prior approval in writing of the local planning authority.

Dated 12 June 1989

Signed



Designation Chief Planning Officer