

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972.

THE DISTRICT COUNCIL OF DACORUM
 IN THE COUNTY OF HERTFORD

To Chipperfield Homes Ltd.,
 Kings Works,
 Kings Lane,
 CHIPPERFIELD,
 Herts.

Lawrence Toes, Esq.,
 17 Collett Road,
 HEMEL HEMPSTEAD,
 Herts.

..... 4 dwellings and access road

.....
 on land rear of "Craigavad" and on the site of
 "The Oaks", Cross Oak 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, in accordance with the provisions of Article 5(2) of the Town and Country Planning General Development Order, 1977, as amended, the development proposed by you in your outline application dated 11th May, 1979,
 and received with sufficient particulars on 11th May, 1979
 and shown on the plan(s) accompanying such application, subject to the following conditions:-

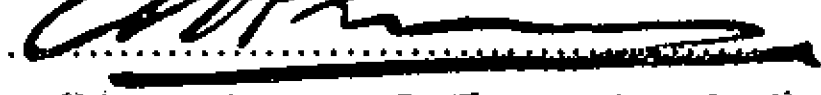
- 1 The development hereby permitted shall not be carried out otherwise than in accordance with detailed plans and drawings showing the siting, layout, design and external appearance of the building(s) and the means of access thereto which shall have been approved by the local planning authority, or in default of agreement by the Minister of Housing and Local Government before any development is commenced.
- 2 (a) Application for approval in respect of all matters reserved in Condition 1 above shall be made to the local planning authority within a period of 3 years commencing on the date of this notice.
 (b) The development to which this permission relates shall be begun by not later than whichever is the later of the following dates:-
 - (i) the expiration of a period of 5 years, commencing on the date of this notice.
 - (ii) the expiration of a period of 2 years commencing on the date upon which final approval is given by the local planning authority or by the Minister or, in the case of approval given on different dates, the final approval of the last such matter to be approved by the local planning authority or by the Minister.
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 constructed in the materials as so approved.
4. 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.

5. The existing trees which are to be retained shall be adequately protected against damage during constructional works to the satisfaction of the Local Planning Authority. Any tree accidentally damaged during construction of the development hereby permitted shall be replaced by a specimen, to be approved in writing by the Local Planning Authority, during the first available planting season.
6. The development hereby permitted shall not be occupied until the land hatched green on Plan LK/286/102 (reserved for future highway improvement) shall have been cleared of all obstruction more than 1 m. above carriageway level and kept clear until the highway works are carried out.
7. The proposed access road shall be a minimum of 4.1 metres in width and sight lines of 2.4 m. x 23 metres shall be provided at the junction with Cross Oak Rd.
8. The development hereby permitted shall not be occupied until the sight lines referred to in condition 7 shall have been provided and they shall be so maintained at all times thereafter.

The reasons for the local planning authority's decision to grant permission for the development subject to the above conditions are:-

1. To comply with the provisions of Regulation 5(2) of the Town and Country Planning General Development Order, 1977, as amended by the Town and Country Planning General Development (Amendment) Orders 1973 to 1974.
2. To comply with the requirements of Section 41 of the Town and Country Planning Act, 1971.
3. To ensure satisfactory appearance.
4. To maintain and enhance visual amenity.
5. In the interests of visual amenity.
6. To ensure land is available for the proper improvement of the abutting highway to meet the requirements of the highway authority in the interests of road safety.
7. & 8. To ensure proper development and in the interests of road safety.

Dated 12th day of July, 1979.

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 Department of the Environment, Caxton House, Tothill Street, London SW1H 9LZ.) 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 (a); to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by him.

(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 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 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.

(a) The statutory requirements are those set out in section 36(7) of the Town and Country Planning Act 1971, namely sections 29(1), 30(1), 67 and 74 of the Act.