

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Other
Ref. No.THE DISTRICT COUNCIL OF DACORUM

IN THE COUNTY OF HERTFORD

To Leisure Committee
Dacorum Borough Council
Civic Centre
MarlowesDirector of Technical Services
Dacorum Borough Council
Civic Centre
Marlowes

Residential development and car parking for ski centre...
 (Outline)
 at Jarmans Field/Wheelers Lane, Hemel Hempstead

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 ... Undated ... and received with sufficient particulars on ... 7 May 1987 ... 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, landscaping and external appearance of the building(s) and the means of access thereto which shall have been approved by the local planning authority, 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 Secretary of State 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 Secretary of State.
- 3 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.

- 4 The existing hedge on the north west boundary of the site shall be protected during the period of construction and such part or parts of the hedge as ^{may} become damaged shall be replaced within the planting season following completion of development.
- 5 The details submitted in accordance with condition 1 shall include boundary treatment, refuse collection; details of roads, sewers and street lighting.
- 6 Prior to the occupation of any dwellings hereby permitted ^A car park for use by the adjacent Ski Centre shall be laid out and surfaced to the satisfaction of the local planning authority.

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. 85
2. To comply with the requirements of Section 42 of the Town and Country Planning Act, 1971.
3. To maintain and enhance visual amenity.
4. To maintain and enhance visual amenity.
5. To ensure a satisfactory development.
6. To ensure a satisfactory development.
7. To ensure the safe, economic, durable, attractive and proper development of the estate.
8. In the interests of health and safety.
9. In the interests of health and safety.

Dated 18th day of June 19 87

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 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.

Conditions continued

7. The road(s) hereby permitted shall be constructed in accordance with the specification of the Hertfordshire County Council set out in "Residential Roads in Hertfordshire" and details of the finished surface of roads (including footways, amenity areas and provision of lighting facilities) shall be submitted to and approved by, the local planning authority before any work is commenced on site. The development shall be carried out in accordance with the details as so approved.
8. Details submitted in accordance with condition 1 of this permission shall include details of a site survey which shall first have been carried out establishing:-
 - (a) The presence or otherwise of toxic, noxious or explosive substances (including gases) in the topsoil and subsoil.
 - (b) Whether the ground strata are predisposed to or are likely to predispose to accumulations of toxic, noxious or explosive substances (including methane and other decomposition products) from within or from outside the application site, and
 - (c) whether any measures are necessary to remove, cover or neutralise any contaminants found, or to prevent seepage or accumulations of toxic, noxious or explosive substances at the site, and to protect any dwellings thereon and their occupants.
9. Details submitted in accordance with condition 1 of this permission shall include a scheme for nullifying the effects of toxic noxious or explosive substances as may be considered necessary in the light of the survey required under condition 8 and such scheme shall be implemented in full prior to occupation of any dwelling on the site.

DATED 18th June 1987

Signed 

CHIEF PLANNING OFFICER