

Town Planning
Ref. No. 4/0662/89

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Other
Ref. No.

DD

THE DISTRICT COUNCIL OF DACORUM

IN THE COUNTY OF HERTFORD

To Charles Church Estates Ltd
3 Park Lane
Beaconsfield
Bucks

Manager's Flat and Garage Block

at Land adjoining "The Garden House", London Road,
Tring, 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 11 April 1989 and received with sufficient particulars on 11 April 1989 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) Details of all boundary treatment shall be submitted to and approved by the local planning authority and fully completed prior to the occupation of the development hereby permitted.
- (3) The development hereby permitted shall not be occupied until the vehicular access roadway garage court access to the garage court and the parking spaces coloured yellow shown on Drawing No 898/11/L have been laid out and substantially constructed to the satisfaction of the local planning authority and they shall be kept clear and available for proper use at all times.

-ctd-

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) In the interests of the overall appearance of the development, to define the boundaries between the units and the adjoining garage blocks in the interests of residential amenity and to define boundaries with adjoining uses.
- (3) To ensure the comprehensive development of the site in the interests of highway safety, the adequate and satisfactory provision of off-street vehicle parking facilities. That vehicles may leave the site in forward gear and the overall appearance of the development which is within the grounds of a Grade II Listed Building and adjoins Tring Conservation Area, The Chilterns Area of Outstanding Beauty and a Grade II Listed Building.
- (4) In the interests of the overall appearance of the development which is within the grounds of a Grade II Listed Building and adjoins the Tring Conservation Area. The Chilterns Area of Outstanding Natural Beauty and a Grade II Listed Building.
- (5) As for Condition 4.
- (6) In the interests of the overall appearance of the development.

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.

DATED

1989

DACORUM BOROUGH COUNCIL

- and -

CHARLES CHURCH ESTATES LIMITED

A G R E E M E N T

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
Land adjoining The Garden House
London Road
Tring
Hertfordshire

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

File Ref: 7.89/AJF/SGC/32/126/128/BS.6

THIS AGREEMENT is made the day
of One thousand nine hundred and eighty-nine
BETWEEN DACORUM BOROUGH COUNCIL of Civic Centre Marlowes
Hemel Hempstead Hertfordshire HP1 1HH (hereinafter called "the
Council" of the first part and CHARLES CHURCH ESTATES LIMITED of

(hereinafter called "the Owner" which expression shall include
its successor in title or assigns) 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 and a principal Council within the meaning of s.33 of the Local Government (Miscellaneous Provisions) Act 1982
- (2) The Owner is the owner in unencumbered fee simple of land adjacent to The Garden House London Road Tring Hertfordshire (hereinafter called "the Land") shown edged red on the attached plan
- (3) The Owner has applied to the Council for planning permission under Ref: 4/0662/89 for erection of Manager's flat and garage block on the land
- (4) The parties hereto wish to enter into an Agreement in respect of the Land pursuant to s.52 of the Town and Country Planning Act 1971 and s.33 of the Local Government (Miscellaneous Provisions) Act 1982

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 consideration of the covenants on the part of the Owner hereinafter contained the Council covenants with it that it will issue planning permission in respect of the application subject to conditions
3. The Owner hereby covenants:
 - (i) That the manager's first floor flat shown on the plan shall not be occupied otherwise than by a manager with responsibility for the dwellings and by other members of the manager's family but this if the manager shall die or cease to be employed by the Owner the said manager's flat shall be vacated within 9 months of such death or termination of employment.
 - (ii) That they will pay the Council's reasonable legal costs incurred in the preparation of this Agreement
4. In the event that planning permission is granted pursuant to application No., 4/0662/89 Clauses 3 (i) and 3 (ii) of this Agreement shall have full force and effect but not otherwise
5. This Agreement shall be registered as a Local Land Charge

I N W I T N E S S whereof the parties hereto have respectively set their hands and Common Seals 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)

The COMMON SEAL of CHARLES)
CHURCH ESTATES LIMITED was)
hereunto affixed in the)
presence of:)

Director

Secretary