

BH

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

BOROUGH  
THE DISTRICT COUNCIL OF DACORUM  
IN THE COUNTY OF HERTFORD

To the Gardeners Trustees  
Icknield Way West  
LEITCHWORTH  
Vincent Corbidge & Partners  
Southgate House  
Town Centre  
STEVENAGE, HERTS. SG1 1HH

Residential Development, Playspace and Access Roads  
(Outline Application)  
at land at Fields End Farm, Boxted Road/Fields End Lane  
Hemel Hempstead

To ensure the proper and satisfactory layout and development of the site.

To ensure the proper and satisfactory layout and development of the site.

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, the development proposed by you in your outline application dated 25th May 1984 (as amended 28th February 1984) and received with sufficient particulars on 29th May 1984, subject to the following conditions 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 ... 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 ... years, commencing on the date of this notice.

(ii) the expiration of a period of ... 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, subject to conditions of approval or to a requirement that the development be completed within a specified period.

3 (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 ... years commencing on the date of this notice.

...contd  
The statutory requirements are those set out in section 38(7) of the Town and Country Planning Act 1971, namely sections 11, 30(1), 32 and 74 of the Act.

THE DISTRICT COUNCIL OF  
IN THE COUNTY OF HERTFORD

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

1. To comply with the provisions of Regulation 5(2) of the Town and Country Planning General Development Orders 1977.
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 the proper and satisfactory layout and development of the site.
6. To ensure the proper and satisfactory layout and development of the site.

7. To ensure the proper and satisfactory drainage of the site.

8. In the interests of highway safety.

9. To ensure that all access to the site is restricted to one point in the interests of highway safety and amenities of the locality.

10. In the interests of highway safety.

Signed.....

(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 ..... 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 ..... years commencing on the date of this notice.
- (ii) the date of the coming into force of the provisions of the Town and Country Planning Act 1971 which relate to the development to which this permission relates.

(c) If the applicant wishes to appeal against the decision of the local planning authority or by the Secretary of State or by the Secretary of State for the Environment, the applicant shall give notice of appeal to the Secretary of State for the Environment within a period of 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 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 granted otherwise than subject to the conditions imposed by the Secretary of State in relation 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 or on the Council of the 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 IV 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.

BH  
TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Town Planning  
Ref. No. .... 4/0700/BA .....  
  
Other  
Ref. No. ....

~~BOROUGH~~  
THE DISTRICT COUNCIL OF DACORUM  
IN THE COUNTY OF HERTFORD

To  
Gardener Trustees  
Icknield Way West  
LETCWORTH  
  
Vincent Gorbing & Partners  
Southgate House  
Town Centre  
STEVENAGE, Herts, SG1 1HH

.. Residential Development, Playspace and Access Roads .....  
.. (Outline Application) .....  
.. at land at Fields End Farm, Boxted Road/Fields End 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 Orders 1977-81, the development proposed by you in your outline application dated 25th May 1984 and received with sufficient particulars on 29th May 1984 (as amended 20th February 1985 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 ... 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 ... years, commencing on the date of this notice.~~
  - ~~(ii) the expiration of a period of ... 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.~~
2. a) Application for approval in respect of all matters reserved in Condition 1 above shall be made to the local planning authority in accordance with the time periods set out in Column B of Table 1 hereof inasmuch as they relate to the phases set out in Column A of the said Table.
- b) The development to which this permission relates shall be begun not later than whichever is the later of the following dates:-

...contd

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 1977-1983
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 the proper and satisfactory layout and development of the site.
6. To ensure the proper and satisfactory layout and development of the site.
7. To ensure the proper and satisfactory drainage of the site.
8. In the interests of highway safety.
9. To ensure that all access to the site is restricted to one point in the interests of highway safety and amenities of the locality.
10. In the interests of highway safety.

Done by .....  
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 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.

- (i) the dates set out in Column C of Table 1 hereof inasmuch as they relate to the phases set out in Column A of the said table.
- (ii) the expiration of a period of 2 years commencing upon 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 in respect of each phase as set out in Column A.

Table 1

Column A	Column B	Column C
Phase as shown on plan 4/0700/84 (Drg. No. 899A/206A)	Date details to be submitted	Date development to be begun
1	31st January 1988	31st January 1990
2	31st January 1989	31st January 1991
3	31st January 1990	31st January 1992

3. The landscaping details submitted in accordance with Condition 1 hereof shall include indications of all existing trees and hedgerows on the land, and details of those to be retained, together with measures for their protection in the course of development.
4. All planting, seeding and turfing comprised in details submitted in accordance with Conditions 1 and 3 hereof, shall be carried out not later than the first planting and seeding seasons following the first rateable occupation of the buildings hereby permitted, and any trees or plants which, within a period of five years from the completion of the development, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the local planning authority gives written consent to any other variation.
5. The details to be submitted in accordance with Condition 1 hereof shall include:-
- plans, sections and details of the construction and layout of roads, footways, footpaths and street lighting;
  - plans, sections and details of the construction and layout of foul and stormwater drainage;

and no dwelling hereby permitted shall be occupied until those parts of the roads, footways, footpaths (with the exception of final surfacing), foul and stormwater drainage serving it shall have been constructed in accordance with the approved plans. Such residual final surfacing shall be carried out within six months of the said occupation of the dwellings which the roads, footpaths and footways serve, or such longer period as the local planning authority may approve.

Cont.

6. The details referred to in Conditions 1 and 5(a) hereof shall be constructed in accordance with the specification of Hertfordshire County Council set out in "Residential Roads in Hertfordshire 1982" (or any amendments thereto) unless the local planning authority gives written consent to any other variation.
7. The details referred to in Condition 5(b) hereof shall be constructed in accordance with the specification "Sewers for Adoption" issued by the National Water Council (or any amendments thereto) unless the local planning authority give written consent to any variation thereto.
8. There shall be only one point of vehicular access which shall be to Boxted Road and which shall include the construction of a roundabout at the junction of Warmark Road. There shall be no vehicular access to Fields End Lane.
9. No work shall be started on any part of the development hereby permitted until details of vehicular access and visibility splays for constructional traffic shall have been submitted to and approved by the local planning authority and constructional traffic shall be limited only to that access as so approved.
10. No work shall be started on any or each of the phases of the development (as referred to in Condition 2 hereof) hereby permitted until details of vehicle washing facilities shall have been submitted to and approved by the local planning authority. The facilities as so approved shall be provided prior to the commencement of each phase and shall be retained at all times during the construction of that phase.
11. The details submitted in accordance with Condition 1 hereof shall include:-
  - a) the provision within Phase 2 or the adjacent sector of Phase 3 an area of land not less than 0.5 acre (0.2 hectare) for a community centre or similar community facilities:
  - b) the provision of children's play areas.
12.
  - a) The land referred to in Condition 11(a) hereof shall be clearly designated on the plans relating to Phase 2 or the adjacent sector of Phase 3 submitted in accordance with condition 1 hereof, shall be laid out in accordance with plans submitted to and approved by the local planning authority and such land shall not be used thereafter for any other purpose.
  - b) The land referred to in Condition 11 (b) hereof shall be clearly designated on the plans for each Phase submitted in accordance with Condition 1 hereof, shall be laid out in accordance with plans submitted to and approved by the local planning authority and such land shall not be used for any other purpose.
13. No work shall be started on a Phase of the development hereby permitted until full details of a scheme for maintenance and management of the land within that Phase referred to in Condition 11 hereof (and any other areas of open space, landscaping or amenity greens shown and clearly designated as such on the details submitted in accordance with Condition 1 hereof) shall have been submitted to and approved by the local planning authority.

...contd

14. None of the dwellings hereby permitted within a Phase shall be occupied until the details referred to in Condition 11 relating to that Phase hereof shall have been provided, unless variation has been agreed in writing with the local planning authority prior to occupation.
15. The details submitted in accordance with Condition 1 hereof shall include:-
- a) a survey of the site including levels and other natural features;
  - b) garaging, parking and circulation facilities;
  - c) refuse collection facilities;
  - d) boundary fencing/walling/hedging;
- and no dwelling hereby permitted shall be occupied until the items as approved in relation to the dwelling shall have been provided.
16. The garaging, parking and circulation facilities referred to in Condition 15 hereof shall be laid out in accordance with the approved plans and those areas shall not thereafter be used for any purpose other than the parking of vehicles.
17. Details submitted in accordance with Condition 1 of this permission shall include longitudinal sections through any private drive and through each of the individual access drives, where such drives contain gradients in excess of 1 in 14.

(Note: Significant changes in drive gradients should be dealt with by way of vertical curves).

11. To ensure facilities are available for residents of the development.
12. To ensure retention of facilities for the benefit of residents of the development.
13. To ensure adequate steps are taken for the upkeep of the open areas of land in the interests of the amenities of the future residents of the development.
14. To ensure the availability of such facilities for the future residents of the development.
15. To ensure proper development of the site in the interests of the future residents of the development.
16. To provide adequate parking facilities and avoid obstruction on the highways.
17. In the interests of highway safety.

Dated.....*Twenty Eighth*..... day of .....*February*..... 19 *85*..

Signed .....*William Bernard*.....

Designation .....*Chief Planning Officer*.....



DATED 28<sup>th</sup> February 1985

DACORUM BOROUGH COUNCIL

--and--

THE COUNTRY GENTLEMEN'S ASSOCIATION LIMITED

and R P GARDENER ESQ

**A G R E E M E N T**

pursuant to S.52 Town and Country Planning Act 1971

relating to land at Fields End Hemel Hempstead

in the County of Hertford

---

Williams & Co

AMPTHILL Bedford

92/1898

THIS AGREEMENT is made the 28th day of February

One thousand nine hundred and eighty five BETWEEN DACORUM BOROUGH

COUNCIL of Civic Centre Hemel Hempstead in the County of Hertford

(hereinafter called "the Council") of the one part and THE COUNTRY

GENTLEMEN'S ASSOCIATION LIMITED whose Registered Office is at Icknield Way

West Letchworth in the County of Hertford and RICHARD PETER GARDENER of 19

The Marina Deal in the County of Kent (hereinafter called "the Owners") of

the other part

WHEREAS :

- (1) The Council is the local planning authority for the purposes of the Town and Country Planning Act 1971 as amended (hereinafter called "the 1971 Act") for the area in which the property described in the First Schedule hereto (hereinafter called "the Site") is situated
- (2) The Owners are registered as proprietors of the property with freehold title absolute at H M Land Registry under Title Number HD180822
- (3) The Owners are desirous of carrying out residential development (hereinafter called "the Development") on the Site as more particularly described in an application for Outline Planning Permission submitted to the Council on the 29th day of May One thousand nine hundred and eighty-four and numbered 4/0700/84 (hereinafter called "the Application")
- (4) The Council as the Local Planning Authority for the area in which the Site is situated are willing to grant Planning Permission for the Development subject to the conditions set out in the Second Schedule hereto only if arrangements acceptable to them have first been made in relation to the Development to regulate and restrict the use of the Site
- (5) The Owners have agreed that in relation to the Development the use of the Site shall be regulated and restricted in the manner hereinafter

appearing

(6) The Council have agreed that the regulation and restriction of the use of the Site in the manner hereinafter appearing constitute arrangements acceptable to them

NOW THIS DEED WITNESSETH as follows :

1. As soon as practicable after the execution of this agreement the Council will issue Outline Planning Permission for the Development pursuant to the Application such permission to be subject to conditions set out in the Second Schedule hereto

2. The Owners hereby covenant with the Council pursuant to Section 33 of the Local Government (Miscellaneous Provisions) Act 1982 and Section III of the Housing Act 1974 that they will observe and perform the positive covenants set out in the Third Schedule hereto

3. The Owners hereby covenant with the Council pursuant to Section 52 of the Town and Country Planning Act 1971 and to the intent that this Agreement shall be enforceable against any persons deriving title from or under them as if the Council were possessed of adjacent land and as if this Agreement had been expressed to be made for the benefit of such land to observe the restrictive covenants contained in the Fourth Schedule hereto

4. It is hereby agreed and declared :

(1) In this agreement the expressions "the Council" and "the Owners" shall be deemed to include their respective successors in title and assigns

(2) The Council and the Owners shall each bear their own costs incurred in preparing and making this agreement which shall be prepared and executed in duplicate

(3) The Owners shall upon the execution of this agreement pay to the Council the stamp duty on each part of this agreement

(4) This agreement may be varied only by an agreement under seal with between the parties hereto and expressed to be supplementary to this agreement

I N W I T N E S S whereof Dacorum Borough Council and the Country Gentlemen's Association plc. have hereunto caused their respective Common Seals to be affixed and Richard Peter Gardener has set his hand and seal the day and year first before written

THE FIRST SCHEDULE before referred to

ALL THOSE pieces or parcels of land at Boxted Farm Fields End Hemel Hempstead in the County of Hertford for the purpose of identification only delineated on the plan marked "Plan Number 1" annexed hereto (hereinafter called "Plan Number 1") and thereon as to part shown edged red and as to the remainder shown edged green

THE SECOND SCHEDULE before referred to

Conditions to be imposed upon the grant of the Planning Permission

1. The development hereby permitted shall not be carried out otherwise than in accordance with detailed plans and drawings showing the siting, design, landscaping and external appearance of the buildings and 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 in accordance with the time period set out in Column B of Table 1 hereof inasmuch as they relate to the phases set out in Column A of the said Table  
(b) The development to which this permission relates shall be begun not later than whichever is the later of the following dates :-

- (1) the dates set out in Column C of Table 1 hereof inasmuch as

they relate to the phases set out in Column A of the said Table.

(11) the expiration of a period of 2 years commencing upon 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 in respect of each phase as set out in Column A

TABLE 1

Column A	Column B	Column C
Phase as shown on plan 4/0700/84 (dwg.no. 899A/206A)	Date details to be submitted	Date development to be begun
1	31st January 1988	31st January 1990
2	31st January 1989	31st January 1991
3	31st January 1990	31st January 1992

3. The landscaping details submitted in accordance with Condition 1 hereof shall include indications of all existing trees and hedgerows on the land, and details of those to be retained, together with measures for their protection in the course of development

4. All planting, seeding and turfing comprised in details submitted in accordance with conditions 1 and <sup>3</sup>~~4~~ hereof shall be carried out not later than the first planting and seeding seasons following the first rateable occupation of the buildings hereby permitted; and any trees or plants

which, within a period of five years from the completion of the development, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the local planning authority gives written consent to any other variation

5. The details to be submitted in accordance with condition 1 hereof shall include :-

(a) plans, sections and details of the construction and layout of roads, footways, footpaths and street lighting;

(b) plans, sections and details of the construction and layout of foul and storm water drainage;

and no dwelling hereby permitted shall be occupied until those parts of the roads, footways, footpaths, with the exception of final surfacing, foul and storm water drainage serving it shall have been constructed in accordance with the approved plans. Such residual final surfacing shall be carried out within six months of the said occupation of the dwelling which those roads footways or footpaths serve or such longer period as the Local Planning Authority shall agree in writing

6. The details referred to in conditions 1 and 5(a) hereof shall be constructed in accordance with the specification of Hertfordshire County Council set out in "Residential Roads in Hertfordshire 1982" (or any amendments thereto) unless the local planning authority gives written consent to any other variation

7. The details referred to in condition 5(b) hereof shall be constructed in accordance with the specification "Sewers for Adoption" issued by the National Water Council (or any amendments thereto) unless the Local Planning Authority gives written authority to any variation thereto

8. There shall be only one point of vehicular access which shall be to Bosted Road and which shall include the construction of a roundabout at the junction of Warmark Road. There shall be no vehicular access to Fields End Lane

9. No work shall be started on any part of the development hereby permitted until details of vehicular access and visibility splays for constructional traffic shall have been submitted to and approved by the local planning authority and constructional traffic shall be limited only to that access as so approved

10. No work shall be started on any or each of the phases of the development (as referred to in Condition 2 hereof) hereby permitted until details of vehicle washing facilities shall have been submitted to and approved by the Local Planning Authority. The facilities as so approved shall be provided prior to the commencement of each phase and shall be retained at all times during the construction of that phase

11. The details submitted in accordance with condition 1 hereof shall include :-

(a) the provision within Phase 2 or the adjacent sector of Phase 3 of the site of an area of land of not less than 0.5 acre (0.2 hectare) for a community centre or similar community facilities;

(b) the provision of children's play areas

12. (a) The land referred to in Condition 11(a) hereof shall be clearly designated on the plans relating to Phase 2 and the adjacent sector of Phase 3 submitted in accordance with Condition 1 hereof, shall be laid out in accordance with plans submitted to and approved by the Local Planning Authority and such land shall not be used thereafter for any other purpose

(b) The land referred to in Condition 11(b) hereof shall be clearly

designated on the plans for each Phase submitted in accordance with Condition 1 hereof, shall be laid out in accordance with plans submitted to and approved by the Local Planning Authority and such land shall not be used for any other purpose

13. No work shall be started on a Phase of the development hereby permitted until full details of a scheme for maintenance and management of the land within that Phase referred to in condition 11(b) hereof (and any other areas of open space, landscaping or amenity greens shown and clearly designated as such on the details submitted in accordance with condition 1 hereof) shall have been submitted to and approved by the local planning authority

14. None of the dwellings within a Phase hereby permitted shall be occupied until the details referred to in condition 11 hereof relating to that Phase shall have been provided, unless variation has been agreed in writing with the local planning authority prior to occupation

15. The details submitted in accordance with condition 1 hereof shall include :-

- (a) a survey of the site including levels and other natural features;
- (b) garaging, parking and circulation facilities;
- (c) refuse collection facilities;
- (d) boundary fencing/walling/hedging;

and no dwelling hereby permitted shall be occupied until the items as approved in relation to the dwelling shall have been provided

16. The garaging, parking and circulation facilities referred to in condition 15 hereof shall be laid out in accordance with the approved plans and those areas shall not thereafter be used for any purpose other than the parking of vehicles



17. Details submitted in accordance with condition 1 of this permission shall include longitudinal sections through any private drive and through each of the individual access drives, where such drives contain gradients in excess of 1 in 14

(Note : Significant changes in drive gradients should be dealt with by way of vertical curves)

THE THIRD SCHEDULE before referred to

Positive covenants to be performed by the Owners

1. (1) The Owners prior to the 30th day of April 1985 shall commence upon the parts of the Site shown edged green on Plan Number 1 annexed hereto the tree planting and other works (hereinafter called "the tree belt works") specified in the Specification marked "Tree Belt Specification" annexed hereto and as shown on drawing numbers ~~84/1/20~~ prepared by Messrs Vincent Corbing and Partners of which copies are annexed hereto

(2) The Owners shall maintain the tree belt works to the reasonable satisfaction of the Council

2. The Owners shall pay to Thames Water Authority such amounts as may reasonably be expended by the Water Authority in up-grading off-site public foul and surface water sewers in order to provide sufficient capacity to accept foul and surface water from the Development

3. The Owners shall pay to Rickmansworth Water Company such amounts as may reasonably be expended by the Water Company in up-grading water supply pipes in order to provide sufficient capacity to serve the Development

4. The Owners shall provide within the Site a storage tank balancing reservoir or other retention system to limit the storm water discharge from the Development to the public surface water sewer to a rate of discharge to be agreed with Thames Water Authority and such works to be executed in

accordance with plans approved by the Water Authority and to the reasonable satisfaction of the Water Authority

5. (1) The Owners shall reserve within Housing Areas 2 or 3 (as shown on Plan Number 1) of the Site an area of land (hereinafter called "the reserved land") having an area of one-half acre for the possible future provision of a community centre or similar community facilities

(2) If the Council shall give notice in writing to the Owners that the reserved land is required for the provision of a community centre or similar community facilities to be specified in the notice the Owners shall within three months of the service of such notice sell the reserved land to the Council or to such community organisation intending to provide the specified community centre or specified community facilities on the reserved land as the Council shall direct

(3) (a) The price to be paid by the Council or acquiring community organisation for the reserved land shall be open market value of the reserved land as at the date of the service of the Council's notice in accordance with paragraph 5(2) of this Schedule for use for community purposes

(b) The parties hereto will use their best endeavours to agree a purchase price for the reserved land as at the date of service of the said notice but if they fail to agree within six months from the date of service of the said notice the matter will be referred for decision to an independent surveyor who will act as an expert

(c) The said surveyor shall be nominated by the parties hereto on their joint application but if either of them shall neglect to join in such application forthwith then the other of them shall make sole application to the President for the time being of the Royal Institution of Chartered

Surveyors who shall nominate the said surveyor

(d) The said surveyor shall determine the question of the open market value of the reserved land for leisure or community purposes at the date of service of the said notice

(4) In the Conveyance of the reserved land to the Council or acquiring community organisation the Owners may :

(a) impose a restrictive covenant binding the reserved land limiting the use thereof to use for a community centre or similar community facilities

(b) reserve to the Owners an option to repurchase the reserved land at the price paid to the Owners by the Council or acquiring community organisation if the construction of the specified community centre or specified community facilities has not either (i) commenced within two year of the Conveyance by the Owners or (ii) been completed within four years of the Conveyance by the Owners such option to be exercisable by the Owners by notice in writing to the Council or the acquiring community organisation at any time within six months of the expiry of the period for the Council or acquiring community authority to commence or complete (as appropriate) the specified community centre or specified community facilities

(5) The provisions of Paragraph 5(1) and (2) of this Schedule shall cease to have effect if the Council shall not have given notice in writing to the Owners in accordance with Clause 5(2) hereof on or before the 31st day of March 1996 or three years from the completion of the last house in Phase 3 whichever is the earlier

THE FOURTH SCHEDULE before referred to

Restrictive Covenants

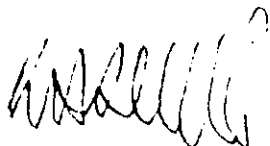
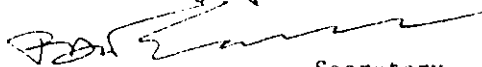
1. Not without the consent of the Council to cut down top lop uproot wilfully damage or wilfully destroy or cause or permit the cutting down topping lopping uprooting wilful damage or wilful destruction of any trees planted in accordance with the covenant contained in Paragraph 1 of the Third Schedule hereto
2. Not to permit any house upon the Site to be occupied until the payments towards up-grading of off site public foul and surface water sewers and water supply pipes in accordance with Paragraphs 2 and 3 of the Third Schedule hereto have been paid or secured to the satisfaction of Thames Water Authority and Rickmansworth Water Company respectively
3. Not to permit any house upon the Site to be occupied until a surface water storage tank balancing reservoir or other retention system has been constructed to the satisfaction of the Thames Water Authority in accordance with Paragraph 4 of the Third Schedule hereto
4. Not to carry out any works upon the Site prior to the 31st day of March 1986 other than the tree planting works specified in Paragraph 1 of the Third Schedule hereto
5. Not to commence the construction of houses upon each Housing area of the Site specified in the first column below prior to the date specified in the second column below and not to permit any house in that Housing Area to be occupied prior to the date specified in the third column below :

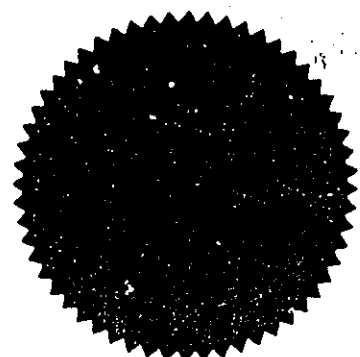
First Column	Second Column	Third Column
Housing Area (as shown on Plan Number 1)	Earliest Commencement Date	Earliest Occupation Date
1	31st March 1986	1st October 1986
2	31st March 1987	1st October 1987
3	31st March 1988	1st October 1988

6. Not to erect upon each Housing Area specified in the first column below more dwellings than are specified in the second column below :

First Column	Second Column
Housing Area (as shown on Plan Number 1)	Maximum number of dwellings
1	108
2	63
3	<u>72</u>
	Total <u>243</u>

THE COMMON SEAL of THE COUNTRY )  
GENTLEMEN'S ASSOCIATION plc )  
 was hereunto affixed in )  
 the presence of : )

 Director  
 Secretary



SIGNED SEALED AND DELIVERED by )  
the said RICHARD PETER GARDENER )  
in the presence of : )

*Richard P. Gardner*

*R.T. Lennig Co.*

30 MANOWS DRIVE  
RAUNDS  
NORTHANTS  
NN9 6SF

QUANTITY SURVEYOR.

4/0700/84

11. To ensure facilities are available for residents of the development.
12. To ensure retention of facilities for the benefit of residents of the development.
13. To ensure adequate steps are taken for the upkeep of the open areas of land in the interests of the amenities of the future residents of the development.
14. To ensure the availability of such facilities for the future residents of the development.
15. To ensure proper development of the site in the interests of the future residents of the development.
16. To provide adequate parking facilities and avoid obstruction on the highways.
17. In the interests of highway safety.

Dated.....*Twenty eighth*..... day of .....*February*..... 19 *85*...

Signed .....*Colin Barnard*.....

Designation .....*Chief Planning Officer*.....