

Town Planning

Ref. No. 4/0705/89

Other

Ref. No.

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

THE DISTRICT COUNCIL OF ..... DACORUM .....  
IN THE COUNTY OF HERTFORD

To Mark White  
"The Little House"  
Torrington Road  
Berkhamsted  
Herts

One dwelling, garage extension and erection of .....  
1.8 m wall to existing house .....  
at The Little House .....  
Torrington 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 the development proposed by you in your application dated 17 April 1989 and received with sufficient particulars on 19 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) 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 carried out in the materials so approved.
- (3) Before development commences, a 1.8 m protective fence shall be erected around the Walnut Tree (the subject of Tree Preservation Order TPO 190) at a 4 m radius from the trunk and shall be maintained as such at all times during constructional works. There shall also be no storage of materials or other goods within this fence line for the duration of constructional works.
- (4) The first floor window on the south east (side) elevation of the dwelling hereby permitted shall be fitted with opaque glazing and maintained as such at all times thereafter. Such glazing shall not be changed without the prior written consent of the local planning authority.
- (5) No gates or other means of enclosure shall be erected at the vehicular entrance to the site without the prior written consent of the local planning authority.

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 satisfactory appearance
- (3) To adequately protect the Walnut Tree on site from disturbance during constructional works.
- (4) To safeguard privacy at present enjoyed by occupants of the adjacent dwelling.
- (5) In the interests of highway safety.

Dated..... 20th ..... day of July ..... 1989

Signed.....  .....  
Chief Planning Officer  
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.