

## TOWN &amp; COUNTRY PLANNING ACTS, 1971 and 1972

Town Planning  
Ref. No. ....4/07.10/88.....Other  
Ref. No. ....THE DISTRICT COUNCIL OF DACORUM

IN THE COUNTY OF HERTFORD

To  
Rossville Ltd.  
The Whins  
Gravel Path  
Berkhamsted  
Herts.Messrs. Stimpsons Planning & Architecture  
14a St. Albans Road  
Watford  
Herts. WD1 1RX.

.....Three detached dwellings..(Outline).....  
 .....  
 at...14 Box Lane., Hemel Hempstead, 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, in accordance with the provisions of Article 5(2) of the Town and Country Planning General Development Order, 1973, as amended, the development proposed by you in your outline application dated .....18 April 1988..... and received with sufficient particulars on .....19 April 1988..... 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.

Cont.

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.
2. To comply with the requirements of Section 42 of the Town and Country Planning Act, 1971.
3. To ensure a satisfactory development.
4. To ensure a satisfactory development.
5. In the interests of highways safety.
6. In the interests of highways safety.
7. To maintain and enhance visual amenity.
8. To maintain and enhance visual amenity.

Dated ..... day of ..... 19 .....

Signed.....

Designation .....

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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.

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3. Details submitted in accordance with condition 1 hereof shall include:-
- (a) a survey of the site including levels natural features, trees and hedges;
  - (b) garaging, parking, circulation, loading and unloading facilities;
  - (c) refuse collection and general storage arrangements;
  - (d) boundary treatment;
  - (e) construction of drains and sewers.
4. The development hereby permitted shall not be occupied until the items as approved in accordance with Condition 3 hereof shall have been provided.
5. A 2.4m x 2.4m visibility splay shall be provided each side of the access, measured from the edge of the accessway to the edge of the carriageway, within which there shall be no obstruction to visibility between 600 mm and 2.0 m above the carriageway level.
6. Sight lines of 2.4m x 23m shall be provided in each direction within which there shall be no obstruction to visibility between 600 mm and 2.0 m above carriageway level.
7. The existing trees on the site shall be retained and adequately protected to the satisfaction of the local planning authority for the duration of development and shall not be wilfully damaged or destroyed, uprooted, felled, lopped or topped during that period without the previous written consent of the local planning authority. Any trees removed without such consent or dying or being severely damaged or becoming seriously diseased during that period shall be replaced with trees of such size and species as may be agreed with the local planning authority.
8. The existing hedges on the north east and north west boundaries of the site shall be protected during the period of construction and such part or parts of the hedge as become damaged shall be replaced within the planting season following completion of development.

Dated: 19 September 1988

Signed



Designation Chief Planning Officer

*We certify this to be a true copy of the original*

*S. S. Lane The Red House High Street Bury Herts 11/15/68*

*W*  
*Adm*  
*SA*  
*CH*  
*L*

**THIS DEED** made the *eighteenth* day of *December* One thousand nine hundred and seventy-five **BETWEEN BRIAN ARTHUR RUSSELL HOBSON** of Fair Acres 16 Box Lane Hemel Hempstead in the County of Hertford and **PATRICIA CAROLINE HOBSON** (his Wife) (hereinafter called "The Grantors") of the first part and **BRITISH NATIONAL LIFE INSURANCE SOCIETY LIMITED** whose Registered Office is situate at Spencer House 4 South Place Finsbury London EC2 (hereinafter called "the Society") of the second part and **MIDLAND BANK LIMITED** whose registered Office is situate at Poultry London EC2 2 BX (hereinafter called "the Bank") of the third part and **ANTHONY STUART HUTCHISON** of 14 Box Lane Boxmoor aforesaid and **CONSTANCE MARY HUTCHISON** <sup>BERNADETTE</sup> (his Wife) (hereinafter called "the Grantees") of the fourth part

**WHEREAS :-**

(1) The Grantors are the Estate Owners in respect of the fee simple in possession of the land situate at Hemel Hempstead in the County of Hertford being part of a field numbered 510 on the Ordnance Survey Map for the Parish of Bovington in the said County of Hertford with the messuage or dwellinghouse and premises erected thereon or on some part thereof and known as "Fair Acres" Box Lane Boxmoor Hemel Hempstead all which said property is for the purpose of identification only coloured green and brown on the plan attached hereto the part thereof coloured brown (hereinafter referred to as "that roadway") being a private roadway to the public Highway known as Boxmoor Lane

*Adm*  
*SA*  
*CH*  
*L*

(2) The Grantors hold the said property as tenants in common in equal shares subject to a Legal Charge dated the 8th day of October 1963 and made between the said Brian Arthur Russell Hobson of the one part and the Society of the other part whereby the said property was charged with payment of the sum of twelve thousand pounds (£12,000.00.) and subject also to a Second Mortgage made between the Grantors of the one part and the Bank of the other part whereby the property was <sup>mortgaged</sup> charged with payment to the Bank of all monies from time to time due from the Grantors to the Bank and subject also to the Exception and Reservation contained in a Conveyance dated the 8th day of October 1963 and made between Robina Douglas Penman of the one part and the said Brian Arthur Russell Hobson of the other part unto the owners and occupiers for the time being of the land coloured blue on the said plan of a right of way over and along the roadway

*CH*

(3) The Grantees are the Estate Owners in respect of the fee simple in possession of the land situate at Boxmoor Lane aforesaid and intended to be known as 14a Box Lane Boxmoor aforesaid the site whereof is shown on the said plan and is thereon coloured pink

(4) The Grantors have agreed in consideration of the payment of Five hundred pounds (£500.00.) to grant to the Grantees the right of way over the roadway hereinafter mentioned \_\_\_\_\_

(5) It was a term of the said agreement that the said consideration should be paid to the Bank in part discharge of the money due to the said and that the Bank and the Society should join herein in manner hereinafter appearing \_\_\_\_\_

NOW THIS DEED WITNESSETH as follows :-

1. In pursuance of the said agreement and in consideration of Five hundred pounds (£500.00.) paid by the Grantees by the direction of the Grantors to the Bank (the receipt and payment whereof the Bank and the Grantors hereby respectively acknowledge) the Grantors as Trustees HEREBY GRANT and the Society and the Bank hereby respectively grant and confirm unto the Grantees and their successors in title the owners and occupiers for the time being of the land coloured pink on the said plan or any part thereof and their respective servants and licensees (in common with the Grantors and the owners and occupiers for the time being of the land coloured blue on the said plan and all others having the like right) at all times hereinafter by day or night with or without vehicles or animals for all purposes connected with the use and enjoyment of the land coloured pink on the said plan to pass along over and upon the roadway TO HOLD the said right of way unto the Grantees in fee simple \_\_\_\_\_

2. The Grantees hereby jointly and severally covenant with the Grantors and with their respective successors in title that the Grantees and their successors in title will from time to time contribute a proportion of the cost of keeping the roadway in repair amounting to one equal share of the total cost of repair divided between the owners of all the houses existing or built during the next 80 years from the date of this Deed <sup>HAVING</sup> a right of way over the roadway PROVIDED THAT the Grantors and their successors in Title shall make good at their sole expense all damage to the said roadway caused by heavy vehicles and machinery obtaining access to the land coloured green on the said plan or any part thereof other than for solely domestic purposes \_\_\_\_\_

3. The Grantors acknowledge the right of the Grantees to production and delivery of copies of the documents specified in the Schedule here and undertake with the Grantees for the safe custody thereof \_\_\_\_\_

4. It is hereby certified that the transaction hereby effected does form part of a larger transaction or of a series of transactions in respect of which the amount or value or the aggregate amount or value of the consideration exceeds the sum of £15,000.00. \_\_\_\_\_



# ADMINISTRATIVE COUNTY OF HERTFORD

The Council of the BOROUGH OF HEMEL HEMPSTEAD  
URBAN DISTRICT OF  
RURAL DISTRICT OF

## TOWN & COUNTRY PLANNING ACT, 1962

To

Mr. B.A.R. Hobson,  
16 Box Lane,  
Hemel Hempstead.

Whose agent is :-

Mr. R.W. Owen,  
372 St. Albans Road,  
North Watford, Herts.

Erection of house and double garage

plot 2

adjoining 16 Box Lane.

HEMEL HEMPSTEAD

Brief  
description  
and location  
of proposed  
development.

In pursuance of their delegated powers under the above-mentioned Act and the Orders and Regulations for the time being in force thereunder, the Council on behalf of the Local Planning Authority hereby permit the development proposed by you in your application dated 27th June 1967 and received with sufficient particulars on 7th August 1967 and shewn on the plans 311/67D accompanying such application, subject to the following conditions:—

1. The land hatched green on plan 311/67D shall be reserved for future highway improvement.
2. No new walls, gates or fences shall be erected on the land hatched green on plan 311/67D.
3. Screening of all boundaries to the extent shown on plan 311/67D and to the requirements of the local planning authority shall be provided either by the retention of the existing natural tree and hedge screening or the provision of 6-ft. high close boarded fencing before the house is occupied and shall be maintained at all times thereafter to the reasonable satisfaction of the local planning authority.
4. Proposals for landscaping the site shall be submitted to the local planning authority for their approval not later than three months after the start of the development hereby permitted and if the scheme is unsatisfactory to them it shall be amended to their satisfaction not later than six months after the start of the development hereby permitted and the scheme as approved shall be completed within twelve months of such approval and shall be maintained at all times thereafter to the reasonable satisfaction of the local planning authority.
5. The use of the building whether as originally erected or as subsequently extended or altered, shall be restricted so that (whether in consequence of a change of use or otherwise) it does not contain office premises having an aggregate office floor space exceeding 3,000 sq.ft.

- (i) A passing of plans or a consent for the purposes of the Public Health Acts 1936 and 1937 and the Building Regulations 1955.
- (ii) A consent under the Public Health (Drainage of Trade Premises) Act 1937.
- (iii) An approval under the Clean Air Act 1956 and the Thermal Insulation Act 1957.
- (iv) A consent under Section 75 of the Highways Act 1959.

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 the local highway authority.
- 2.
3. To ensure that the privacy enjoyed by the occupiers of the adjoining residential property is adequately maintained.
4. To protect and enhance the visual amenities of the locality.
5. To comply with the provisions of Section 7 of the Control of Office and Industrial Development Act 1965.

Dated 23rd

day of August

1967

Town Clerk

#### 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 grant permission or approval subject to conditions, he may by notice served within one month of receipt of this notice, appeal to the Minister of Housing and Local Government in accordance with Section 23 of the Town and Country Planning Act, 1962. The Minister has power to allow a longer period for the giving of a Notice of Appeal and he will exercise his power in cases where he is satisfied that the applicant has deferred the giving of notice because negotiations with the local planning authority in regard to the proposed development are in progress. The Minister is not, however, required to entertain such 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 under the Act and of the Development Order and in 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 Minister of Housing and Local Government, 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 Council of the County District in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with Section 129 of the Town and Country Planning Act, 1962.

(4) In certain circumstances, a claim may be made against the local planning authority or the Minister of Housing and Local Government for compensation, where permission is granted subject to conditions, and the applicant has reference of the application to him. The compensation is payable under Part VI of the Act.