

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

AJP

Town Planning  
Ref. No. .... 4/0715/85 .....

Other  
Ref. No. ....

THE DISTRICT COUNCIL OF DACORUM

IN THE COUNTY OF HERTFORD

To Gardener Trustees  
c/o Icknield Way West  
Letchworth

Vincent Gorbing and Partners  
Southgate House, Town Centre,  
Stevenage  
Herts

Residential development (Outline Application).....  
.....  
at Land at Fields End Farm, Off. Boxted Road/Fields End Lane/  
...Ripley Way/. Newlands Road, 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 1977-81 the development proposed by you in your outline application dated ..... 12th June 1985 ..... and received with sufficient particulars on 13th June 1985 (amended 23rd January 1986) ..... 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 4 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 6 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 The landscaping details submitted in accordance with Condition 1 hereof shall include indication 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.

/Continued....

4. All planning, 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 building 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 stormwater drainage;

/Cont'd on attached sheet....

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.
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.
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.

/Cont'd on attached sheet...

Dated.....30th..... day of....January.....19 86.....

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 Cont'd.....

5. Continued.....

- 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.
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, Ripley Way/Newlands Road or Frimley Road.
  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 of the development 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 part and shall be retained at all times during the construction of that part.
  11. The details submitted in accordance with Condition 1 hereof shall include the provision of children's play areas.
  12. The land referred to in Condition 11 hereof shall be clearly designated on the plans 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.

/Cont'd on sheet 3.....

Conditions Cont'd.....

13. No work shall be started on any part of the development hereby permitted until full details of a scheme for maintenance and management of the land within that part (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 hereby permitted within any part of the development hereby permitted shall be occupied until the details referred to in Condition 11 relating to that part 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).
18. The land shown edged and stippled black on plan no 1351/001 (reference 4/0715/85) shall be reserved for future highway development and landscaping details submitted in accordance with condition 1 hereof shall include details of the treatment of that land until such time as it is required for highway development.

---

/Cont'd on sheet 4.....

Reference No. 4/0715/85

Reasons Cont'd.....

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.
18. In order to safeguard the longer term planning options in respect of land to the south-west.

Dated 30th day of January 1986

Signed .....  .....

Designation CHIEF PLANNING OFFICER .....