

JDS

**TOWN & COUNTRY PLANNING ACT 1971 (AS AMENDED)**  
**TOWN & COUNTRY PLANNING GENERAL REGULATIONS 1976-1981**

Town Planning  
Ref. No. .... 4/0763/88DC.....

Other

Ref. No. ....

THE BOROUGH COUNCIL OF DACORUM

IN THE COUNTY OF HERTFORD

Housing Committee  
 Dacorum Borough Council  
 Civic Centre

To **Marlowes**  
**Hemel Hempstead**

**A.H. Lewis, Esq.**  
**Director of Technical Services**  
**Dacorum Borough Council**  
**Civic Centre**  
**Marlowes**  
**Hemel Hempstead**

The Council hereby gives notice that it has passed a resolution under Regulation 5 (4) Town and Country Planning General Regulations 1976 - 1981 authorising the carrying out of the development proposed in the outline application and shown on Plan No. 4/0763/88DC accompanying such application subject to the following conditions.

**Residential development (8 dwellings)**

at **Land formerly sites of 5 - 19 Friendless Lane,**  
**Flamstead, 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 gives notice that it has passed a resolution under Regulation 5 (4) Town and Country Planning General Regulations 1976 - 1981 authorising the carrying out of the development proposed in the outline application and shown on Plan No. 4/0763/88DC 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, 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.

The Council hereby gives notice that it has passed a resolution under Regulation 5 (4) Town and Country Planning General Regulations 1976 - 1981 authorising the carrying out of the development proposed in the outline application and shown on Plan No. 4/0763/88DC accompanying such application subject to the following conditions.

SECTION 160-1

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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 accord with the policies contained in the adopted Dacorum District Plan which provides for the replacement of dwellings in rural areas. .... to
4. To accord with the policies contained in the adopted Dacorum District Plan which permits replacement dwellings in rural areas only of similar size to those that they replace.
5. To maintain and enhance visual amenity.
6. To maintain and enhance visual amenity.
7. To accord with the policies contained in the adopted Dacorum District Plan which permits replacement dwellings in rural areas only of similar size to those that they replace.

Date of Resolution

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 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. Not more than eight dwellings shall be erected on the site.
4. The floorspace of each of the dwellings hereby permitted shall not exceed 165 square metres, measured externally (excluding garages).
5. The landscaping details referred to in Condition (1) hereof shall include indications of all existing trees and hedgerows on the land, and details of that to be retained, together with measures for their protection in the course of development and details of numbers, species and proposed planting location of all new trees, shrubs and hedgerows.
6. All planting, seeding or turfing comprised in the approved details of landscaping, shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; 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 variation, and for the purposes of this condition a planting season shall be deemed to commence in any one year on 1 October and to end on 31 March in the next following year.
7. Notwithstanding the provisions of the Town and Country Planning General Development Order 1977 or any amendments thereto, there shall be no extension or alteration to the buildings hereby permitted without the express written permission of the local planning authority.

Date of Resolution 14 July 1988

Signed



Designation Chief Planning Officer