

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Other
Ref. No.THE DISTRICT COUNCIL OF DACORUM

IN THE COUNTY OF HERTFORD

To N L W Smith
"Blaydon"
Manor Road
Watford HertsR V A Davies
37 Hillside Gardens
Berkhamsted
Herts

Erection of bungalow

at Adj Flaunden Forge, Long Lane, Flaunden

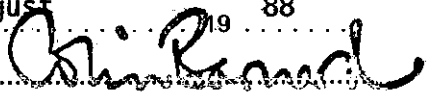
Brief
description
and location
of proposed
development.

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 as amended, the development proposed by you in your outline application dated 27 May 1987 and received with sufficient particulars on 28 May 1987 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.

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.

Dated Nineteenth day of August 19 88
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.

11/10/87 Dev. Comm. 9-7-87

THIS AGREEMENT is made the ^{19th} day of August One thousand nine hundred and eighty eight **BETWEEN DACORUM BOROUGH COUNCIL** of Civic Centre Marlowes Hemel Hempstead Hertfordshire HP1 1HH (hereinafter called "the Council") and **NORMAN LEWIS WALKER SMITH** of Blaydon Manor Road Watford Hertfordshire (hereinafter called "the Applicant")

WHEREAS

- (1) The Council is the local planning authority for the purposes of the Town & Country Planning Act 1971 for the borough of Dacorum and also a principal Council within the meaning of s.33 of the Local Government (Miscellaneous Provisions) Act 1982
- (2) The Applicant has applied to the Council for the planning permission under reference number 4/0788/87 for the erection of a bungalow on the land adjoining Flaunden Forge Long Lane Bovington Hertfordshire shown edged blue on the plan attached hereto
- (3) The Applicant is the owner in fee simple in possession of the land shown edged in red on the plan attached hereto (hereinafter called "the property")
- (4) This Agreement is made pursuant to s.52 of the Town & Country Planning Act 1971 and s.33 of the Local Government (Miscellaneous Provisions) Act 1982

NOW THIS DEED WITNESSETH as follows:-

- 1. **IN** consideration of the covenants on the part of the Applicant hereinafter contained the Council covenants that it will forthwith grant planning permission in respect of the said application subject to the conditions set out in the Schedule hereto.
- 2. **THE** Applicant hereby covenants with the Council so as to bind the property that as soon as he the said **NORMAN LEWIS WALKER SMITH** shall either
 - (a) cease to carry on on his own account the trade or business

of a Blacksmith upon the land shown edged yellow on the plan attached hereto or

(b) sell lease or otherwise part with any interest in or enter into any contract for the sale letting or parting with any interest in the property or any part thereof (**SAVE FOR** a Transfer by the Applicant of the property into the joint names of the Applicant and Pauline Vivian Smith)

he will

(i) Terminate the use of the building presently erected on the said land edged yellow for the business of Blacksmith and Farrier within 6 weeks of such cessation sale or parting with an interest or such longer period as the Local Planning Authority may agree in writing

(ii) Forthwith thereafter use the said land coloured yellow and the said building thereon only for such purposes or purposes as are incidental to the enjoyment of the residential occupation of the bungalow the subject of the said application and as part of the curtilage thereto

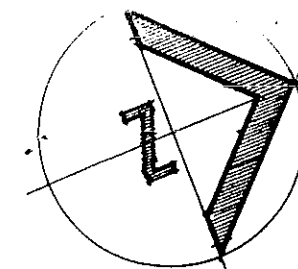
3. The Applicant further covenants with the Council that he will:

(a) not carry out any alterations enlargements additions or improvements to the building presently erected on the said land edged yellow without the previous consent in writing of the Local Planning Authority

(b) Pay the legal costs incurred by the Council in the preparation of this Agreement.

THE SCHEDULE before referred to

1. The development hereby permitted shall not be carried out otherwise than in accordance with detailed plans and drawings showing siting, design, landscaping and external appearance of






CONTRACTORS MUST VERIFY ALL DIMENSIONS
ON SITE BEFORE COMMENCING ANY WORK OF
SHOP DRAWINGS
FIGURED DIMENSIONS ARE TO BE USED IN
PREFERENCE TO SCALED DIMENSIONS.
IF THIS DRAWING EXCEEDS THE QUANTITIES
TAKEN IN ANY WAY THE ARCHITECTS ARE TO BE
INFORMED BEFORE THE WORK IS INITIATED.

•NOTES•

- THIS PLAN IS TAKEN FROM DECC. N°
101/02 SUBMITTED TO THE LOCAL
AUTHORITY FOR PLANNING APPRO.
ON 26/05/1987.

• KEY

-  LAND WITHIN MR. SMITH'S
CONTROL.
-  PROPOSED BUNGALOW AND
CULTIVAGE.
-  EXISTING FORGE AND
ADJACENT LAND.

li
DESIGN
ARCHITECTURE
INTERIOR

37 HILLSIDE GARDENS
BERKHAMSTED HERTS HP4 2LF
TEL: 04427 4657

JOB

• PROPOSED DEVELOPMENT
• THE FORGE, LONG LANE
• FLAUDEN. HERTS
TITLE

• SITE PLAN
• SECTION 52 AGREEMENT

SCALE

DATE

• 1/200

DRAWING No. REVISION No.

• 101/07

• MAY 1988

LONG LANE

PROPOSED
BUNGALOW

EXISTING
FORGE

M. Walker Smith


the building and means of access thereto which have been approved by the Local Planning Authority or in default of agreement with the Secretary of State.


2. 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 three years commencing on the date of this Notice and the development to which the permission relates shall be begun by not later than whichever is the later of the following dates:

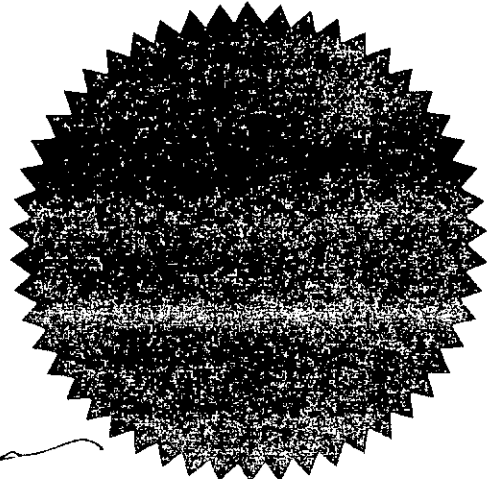
(a) The expiration of a period of five years commencing on the date of this Notice.

(b) The expiration of a period of two 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 final approval by the Local Planning Authority or the Secretary of State

THE COMMON SEAL of
DACORUM BOROUGH COUNCIL
was hereunto affixed in the
presence of:-


CHIEF EXECUTIVE
Chairman


Assistant Secretary
(Admin)



SIGNED SEALED and DELIVERED
by the said NORMAN LEWIS WALKER
SMITH in the presence of:-



E. E. Sewell
49. Toms Lane
Kings Langley
Herts.
Secretary

10/2/86

MEMORANDUM From:

CHIEF PLANNING OFFICER

My Ref: 4/0788/87 PH/EF

Contact: Miss P. Harris

To: TM

BOROUGH SECRETARY

Your Ref. 3007/23.

Date. 4 August 1987

ERECTION OF BUNGALOW ADJOINING FLAUDEN FORGE, LONG LANE, BOVINGDON

The above proposal was considered at Development Control Committee on 9 July 1987. Members agreed in principle to approve the development but the decision was delegated to the Chief Planning Officer pending the completion of a S.52 Agreement to secure the future of the Forge building.

The existing single storey building on the site is currently occupied and run as a Forge by Mr N L W Smith of Blaydon, Manor Road, Watford, Herts. (consent for which was granted in 1976). The Agreement is intended to ensure that on the retirement of Mr. Smith, either of the following shall apply:-

- (a) The building shall be demolished and the land shall revert to part of the residential curtilage and shall not be used otherwise than for purposes incidental to the enjoyment of the bungalow.
- (b) The land (including building) shall not be used otherwise than for purposes incidental to the enjoyment of the bungalow. No alterations/additions shall be made to the building without the prior consent in writing of the LPA.

The agent acting for the applicant is R V A Davies 37 Hillside Gardens Berkhamsted HP4 2LE.

Should you require any further information please contact Philippa Harris on Ext. 2334.


CHIEF PLANNING OFFICER

BOROUGH

13 AUG 1987

SECRETARY'S DEPT.