

Town Planning

Ref. No. 4/0800/88

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Other

Ref. No.

THE DISTRICT COUNCIL OF

DACORUM

IN THE COUNTY OF HERTFORD

To

Mr. and Mrs. R. Scotto
8 The Grove
Marshcroft Lane
Tring
Herts.

Alan Bailey Associates
87 London Road
Aston Clinton
Bucks.

..... Formation of dormer window and alterations to
..... outbuilding to form self-contained annex
at 8 The Grove, Marshcroft Lane, Tring, 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 the development proposed by you in your application dated 20 April 1988
and received with sufficient particulars on 4 May 1988
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) The materials used externally shall match both in colour and texture those on the existing outbuilding of which the development shall form a part.
- (3) The chimneys and vent shown on Drawing No. 203/01 shall be retained.
- (4) Notwithstanding Condition 3 should it be necessary for the chimneys and vent to be rebuilt existing materials shall be re-used where possible and this development shall be completed prior to the existing outbuilding being first brought into use as a self-contained annex.

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) In the interests of the appearance of the outbuilding which is of local historic interest.
- (3) To ensure the retention of important features of the outbuilding which is of local historic interest.
- (4) To ensure there is a control over the future appearance of the outbuilding which is of local historic interest.

Dated.....14th.....day of.....February.....19...89

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 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.

DATED

1988

DACORUM BOROUGH COUNCIL

and

RICHARD SCOTTO-DI-PERTA

and

BERNICE SCOTTO-DI-PERTA

AGREEMENT

under S.52 of the Town and
Country Planning Act 1971
and s.33 of the Local Government
(Miscellaneous Provisions) Act 1982
in respect of 8 The Grove Marshcroft Lane
Tring Hertfordshire

Keith Hunt
Borough Secretary
Dacorum Borough Council
Civic Centre
Hemel Hempstead
Hertfordshire
HP1 1HH

File ref: 11.88/SB/TM/S.52/32/126/122/BS.6

T H I S A G R E E M E N T is made the day of
One thousand nine hundred and eighty-nine
B E T W E E N DACORUM BOROUGH COUNCIL of Civic Centre Marlowes
Hemel Hempstead Hertfordshire HP1 1HH ("the Council") of the
first part and RICHARD SCOTTO-DI-PERTA and BERNICE SCOTTO-DI-
PERTA (his wife) both of 8 The Grove Marshcroft Lane Tring
Hertfordshire ("the Owners") of the other part

- (1) The Council is the local planning authority for the purposes of the Town and Country Planning Act 1971 for the Borough of Dacorum and a Principal Council within the meaning of S.33 of the Local Government (Miscellaneous Provisions) Act 1982
- (2) The Owners are the owners in unencumbered fee simple of 8 The Grove Marshcroft Lane Tring Hertfordshire ("the Property") shown edged red on the plan annexed hereto
- (3) The Owners have made an application for planning permission under reference no 4/0800/88 for the formation of a dormer window and alterations to an outbuilding to form a self contained annex on the property (shown edged green on the plan annexed hereto)

1. This Agreement and the Covenants herein contained are expressly made pursuant to S.52 of the Town and Country Planning Act 1971 and S.33 of the Local Government (Miscellaneous Provisions) Act 1982
2. In consideration of the Covenants by the Owners hereinafter contained the Council hereby covenants with the Owners that the Council will forthwith grant planning permission in respect of the application subject to the conditions set out in the Schedule hereto

3. The Owners hereby jointly and severally covenant with the Council

- (a) that the said outbuilding (to be converted to a self contained annex on the area of the property shown edged green on the plan annexed hereto) shall not be occupied other than by the owner for the time being of the property or a member of his family for residential purposes ancillary to the residential occupation of the rest of the property and shall not be disposed of whether by sale or lease separately from the rest of the property
- (b) that they will pay the reasonable legal costs incurred by the Council in the preparation of this Agreement

4. This Agreement shall be registered as a Local Land Charge

SCHEDULE

- 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. The materials used externally shall match both in colour and texture those on the existing outbuilding of which the development shall form a part
- 3. The chimneys and vent shown on drawing no 203/01 shall be retained
- 4. Notwithstanding condition 3 should it be necessary for the chimneys and vent to be rebuilt existing materials shall be reused where possible and this development shall be completed prior to the outbuilding being first brought into use as a self-contained annex

I N W I T N E S S whereof the parties hereto have set their respective Common Seal and Hand the day and year first before written

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

LS

R. H. Denis

Chief Executive

A. Owens

Assistant Secretary
(Admin)

SIGNED SEALED and DELIVERED)
by the said)
RICHARD SCOTTO-DI-PERTA)
in the presence of:-)

R. Scotto Di Porta (L)

Witness: W. H. Morley

Address: 1, Grove Farm House
Marshfield Lane Tmg

Occupation: Manufacturer Agent

SIGNED SEALED and DELIVERED)
by the said)
BERNICE SCOTTO-DI-PERTA)
in the presence of:-)

B. Scotto Di Porta (LS)

Witness: W. H. Morley (as above)

Address:

Occupation: