



TOWN AND COUNTRY PLANNING ACT 1990

DACORUM BOROUGH COUNCIL

Application Ref. No. 4/0836/89

Kilnpower Limited  
c/o Brown and Merry  
7 High Street  
WENDOVER  
Bucks

Richard I Onslow  
The Old School  
High Road  
Soulbury  
Nr LEIGHTON BUZZARD

DEVELOPMENT ADDRESS AND DESCRIPTION  
=====

THE WALLED GARDEN, STOCKS GARDEN COTTAGE, STOCKS ROAD, ALDBURY  
REPLACEMENT DWELLINGHOUSE AND ALTERATIONS TO EXISTING ACCESS (OUTLINE)

Your application for outline planning permission dated 21 April 1989 and received on 9 May 1989 has been granted, subject to the conditions set out overleaf.

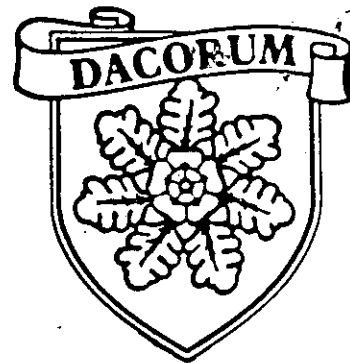
Director of Planning.

Date of decision: 14 June 1991

(encs. - Conditions and Notes).

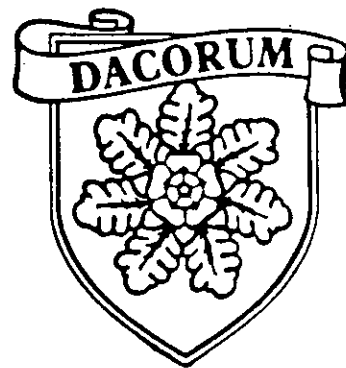
CONDITIONS APPLICABLE  
TO APPLICATION: 4/0836/89

Date of Decision: 14 June 1991



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 and means of access thereto which shall have been approved by the local planning authority or in default of agreement by 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 this permission relates shall be begun not later than whichever is the later of the following dates:
  - (i) The expiration of a period of five years commencing on the date of this notice.
  - (ii) 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, the final approval by the local planning authority or the Secretary of State.
3. The development hereby permitted shall not commence until the access improvements to Stocks Road as shown on Plan 4/0836/89 Drawing 358.2 have been carried out.
4. The development hereby permitted shall not be occupied until the existing house and outbuildings outside the inner wall indicated by broken lines on Plan 4/0836/89 Drawing 358.3 shall have been demolished and removed from the site.
5. Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 or any amendments thereto, there shall be no extensions or additions to the building hereby permitted without the express written permission of the local planning authority.
6. Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 or any amendments thereto, there shall be no garages or buildings incidental to the enjoyment of the dwellinghouse hereby permitted as a private dwellinghouse erected within its curtilage (and for the avoidance of doubt "curtilage" shall be defined as the inner wall to the garden as shown on Plan 4/0836/89 Drawing 358.3) nor shall there be any walls, fences, gates, railings or other means of enclosure to the dwellinghouse without the express written consent of the local planning authority.
7. The development hereby permitted shall not be occupied until repairs and restoration to the inner and outer walls surrounding the site have been carried out in accordance with a scheme of restoration to be submitted to and approved by the local planning authority.

CONDITIONS (CONTINUED) APPLICABLE  
TO APPLICATION: 4/0836/89



8. The development shall be limited to two storeys in height.
9. The total floor space of the new dwelling including garage area shall be limited to 250 square metres.

#### REASONS FOR CONDITIONS

1. To comply with the requirements of Article 7 of the Town and Country Planning General Development Order 1988.
2. To comply with the provisions of s.92 of the Town and Country Planning Act 1990.
3. To ensure satisfactory vehicular access to the site.
4. This development is permitted only as a replacement for the existing house.
- 5 & 6. The site lies in the Chilterns Area of Outstanding Natural Beauty and the local planning authority consider it necessary to control the size and design of any extensions, outbuildings or other structures within the site.
7. To secure the preservation of the garden wall which is of special architectural and historic interest.
- 8 & 9. To limit the impact of the dwelling on the Chilterns Area of Outstanding Natural Beauty.

DATE

6<sup>th</sup>

June

1991

DACORUM BOROUGH COUNCIL

(1)

and

KILNPOWER LIMITED

(2)

AGREEMENT

pursuant to S.106 Town and  
Country Planning Act 1990 and S.33 Local Government  
(Miscellaneous Provisions) Act 1982  
relating to land situate at:

The Walled Garden  
Stocks Garden Cottage  
Aldbury  
Hertfordshire

Keith M Pugsley  
Director of Law and Administration  
Dacorum Borough Council  
Civic Centre  
Marlowes  
Hemel Hempstead  
Herts HP1 1HH

File Ref: 4.91/AGREE/32/126/152/NP/SR/MB/SMR/BS.6

cTB

THIS AGREEMENT is made the sixth  
day of June 1991  
BETWEEN DACORUM BOROUGH COUNCIL of Civic Centre Marlowes  
Hemel Hempstead Hertfordshire HP1 1HH (hereinafter called "the  
Council") of the first part and the Owner described in the First  
Schedule (hereinafter called "the Owner" which expression shall  
include the Owner's successors in title and assigns) of the  
second part

WHEREAS

- (1) The Council is the local planning authority for the purposes of the Town and Country Planning Act 1990 for the area of land described in the First Schedule hereto (hereinafter called "the land") and also a principal Council within the meaning of s.33 of the Local Government (Miscellaneous Provisions) Act 1982
- (2) The Owner is entitled to the interest in the land described in the First Schedule hereto
- (3) Application has been made to the Council for planning permission under the Application Number and for the development described in the Second Schedule hereto (hereinafter called "the Development")
- (4) This agreement is made pursuant to s.106 of the Town and Country Planning Act 1990 and s.33 of the Local Government (Miscellaneous Provisions) Act 1982

NOW THIS DEED WITNESSETH AS FOLLOWS:

1. IN the event that planning permission with or without conditions is granted by the Council or by the Secretary of State for the Environment pursuant to the Application described in The Second Schedule hereto (hereinafter called "the Application") and such planning permission shall be implemented then this Agreement shall have full force and effect but not otherwise save that Clause 3 (b)

hereof shall have full force and effect from the date hereof

2. IN consideration of the Covenants on the part of the Owner contained in the Third Schedule hereto the Council hereby covenants with the Owner that the Council will forthwith grant planning permission pursuant to the Application subject to the conditions set out in the Fourth Schedule hereto

3. IN consideration of the Council's Covenant contained in Clause 2 hereof the Owner hereby covenants and undertakes with the Council

(a) to observe and perform the Covenants set out in the Third Schedule hereto

(b) to pay the Council's reasonable costs in the preparation hereof on the execution of this Agreement

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

IN WITNESS WHEREOF the parties hereto have caused their common seals to be hereunto affixed the day and year first before written

#### FIRST SCHEDULE

##### The Owner

Name: KILNPOWER LIMITED

Address: First floor Clayton House  
59 Piccadilly  
Manchester M1 2AS

### The Land

Premises known as The Walled Garden Stocks Garden Cottage Aldbury Hertfordshire shown edged red on the plan annexed hereto

### The Owner's Interest in the Land

Unencumbered fee simple in possession

## SECOND SCHEDULE

### The Application and the Development

Application No. 4/0836/89

The Development consists of the demolition of the existing house outbuildings and greenhouses and construction of one two storey dwellinghouse a garage and a conservatory on the land

## THIRD SCHEDULE

### Covenants on the part of the Owner

The Owner hereby Covenants with the Council as follows:

1. That before the development is occupied the existing inner and outer walls surrounding the walled garden marked on plan annexed shall be restored using materials that match the existing ones both in colour and texture that all iron work be fully restored or replaced as appropriate and all stonework decorations shall be made good in accordance with a detailed plan for restoration to be approved by the local planning authority before the development takes place
2. That before the development is occupied the existing dwellinghouse marked on the plan annexed shall be demolished together with all other outhouses and buildings outside the inner walled area of the land

#### FOURTH SCHEDULE

##### Conditions to be attached to Planning Permission

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 and means of access thereto which shall have been approved by the local planning authority or in default of agreement by 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 this 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, the final approval by the local planning authority or the Secretary of State.
3. The development hereby permitted shall not commence until the access improvements to Stocks Road as shown on Plan 4/0836/89 drawing 358.2 have been carried out.
4. The development hereby permitted shall not be occupied until the existing house and outbuildings outside the inner wall indicated by broken lines on Plan 4/0836/89 Drawing 358.3 shall have been demolished and removed from the site.



5. Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 or any amendments thereto, there shall be no extensions or additions to the building hereby permitted without the express written permission of the local planning authority.
6. Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 or any amendments thereto, there shall be no garages or buildings incidental to the enjoyment of the dwellinghouse hereby permitted as a private dwellinghouse erected within its curtilage (and for the avoidance of doubt "curtilage" shall be defined as the inner wall to the garden as shown on Plan 4/0836/89 Drawing 358.3) not shall there be any walls, fences, gates, railings or other means of enclosure to the dwellinghouse without the express written consent of the local planning authority.
7. The development hereby permitted shall not be occupied until repairs and restoration to the inner and outer walls surrounding the site have been carried out in accordance with a scheme of restoration to be submitted to and approved by the local planning authority.
8. The development shall be limited to two storeys in height.
9. The total floor space of the new dwelling including garage area shall be limited to 250 square metres.

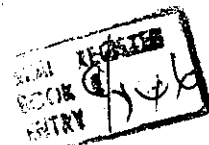
THE COMMON SEAL of  
DACORUM BOROUGH COUNCIL  
was hereunto affixed  
in the presence of:

*Keith Hunt*

Chief Executive

*[Signature]*

Assistant Director  
(Admin)



THE COMMON SEAL of  
KILNPOWER LIMITED  
was hereunto affixed  
in the presence of:

Director

*[Signature]*

Secretary

*Brian*

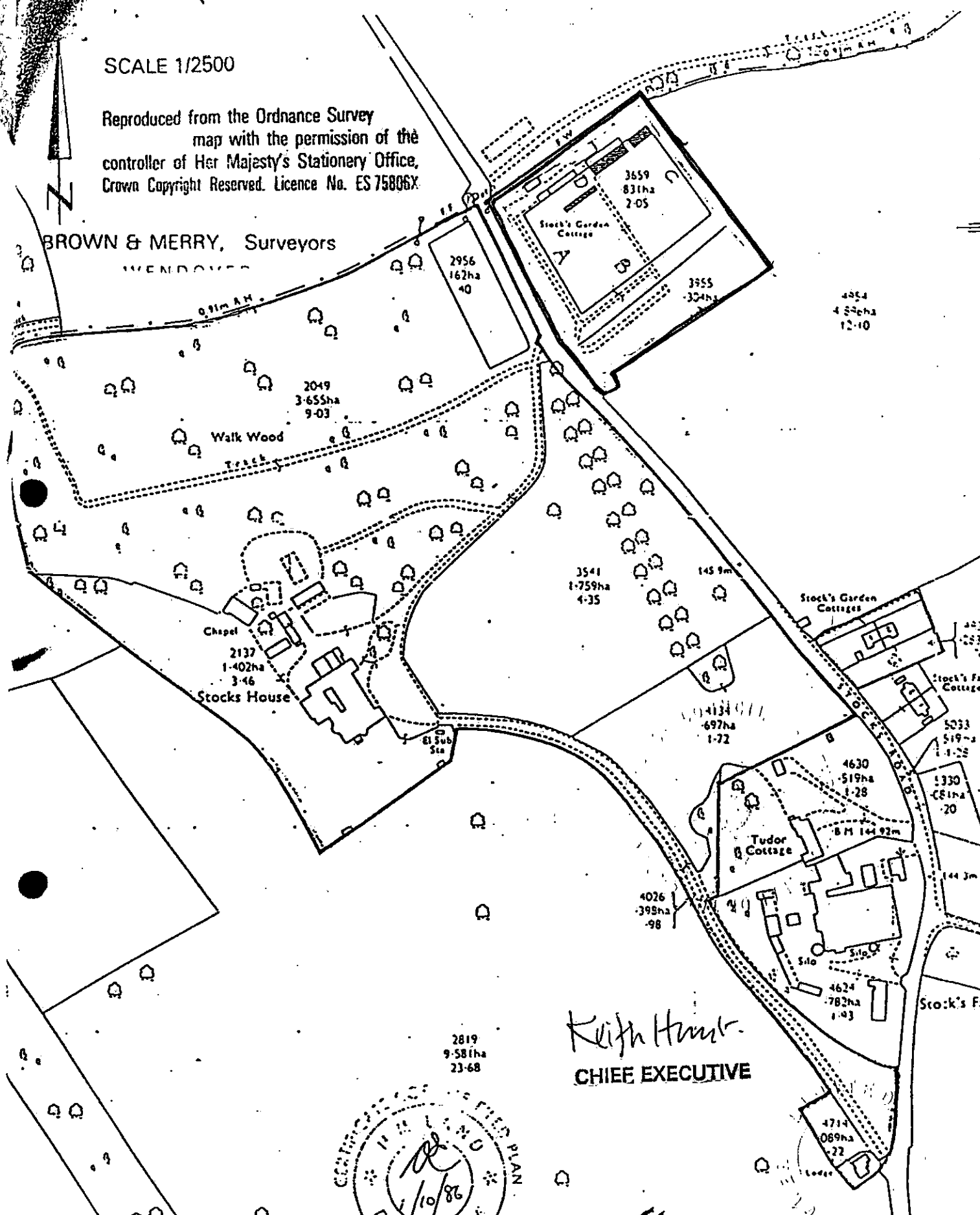
*Collier*

SCALE 1/2500

Reproduced from the Ordnance Survey  
map with the permission of the  
controller of Her Majesty's Stationery Office,  
Crown Copyright Reserved. Licence No. ES 75806X

BROWN & MERRY, Surveyors

WENDOVER



Chapel

2137  
1-402ha  
3-46

Stocks House

El Sub  
Sta

Stock's Garden  
Cottages

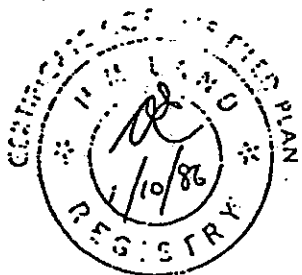
Stock's Farm  
Cottages

Tudor  
Cottage

Stock's Farm

2819  
9-581ha  
23-68

Keith Hunt  
CHIEF EXECUTIVE



*Mayer* x DIRECTOR

C.S.

x Brian ... x SECRETARY  
Coysora ...