

AC
TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Town Planning
Ref. No. 4/0895/88

Other
Ref. No.

THE DISTRICT COUNCIL OF DACORUM
IN THE COUNTY OF HERTFORD

To

Sunny Rock Limited
275 High Street
Berkhamsted
Herts

D Clarke
47 Gravel Lane
Hemel Hempstead
Herts

Two Dwellings (Outline).
.....
.....
at 9 Kingsdale Road
Berkhamsted, 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, as amended, the development proposed by you in your outline application dated 3.5.88 and received with sufficient particulars on 13.5.88 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~~ or in default of agreement by the Secretary of State.
- 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.
- 3 The details submitted in accordance with Condition 1 shall include sections through and along the access to the new dwellings and through and along the drives serving the new dwellings and the new garage for the existing dwelling.
- 4 The details submitted in accordance with Condition 1 shall include the siting, design and appearance of the new garage for the existing dwelling, which shall be provided prior to the commencement of work on the dwellings hereby permitted.
- 5 The details submitted in accordance with Condition 1 shall include a turning area to the standards set out in "Residential Roads in Hertfordshire" within the area shaded green on Dwg. No. 87170/1 Revision 'C'.

Contd/

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~~ - 1955
2. To comply with the requirements of Section 42 of the Town and Country Planning Act, 1971.
3. To ensure a satisfactory development.
4. To provide proper off-street parking facilities to serve the existing dwelling.
5. In the interests of highways safety.

Dated 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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Subject to the following conditions:- (Contd/)

- 6 A turning space to the standards set out in "Residential Roads in Hertfordshire" shall be provided within the curtilage of each of the dwellings hereby permitted. These turning spaces shall be provided before the dwellings are occupied and shall not thereafter be used for any purposes other than the turning of vehicles.
- 7 Notwithstanding the details shown on Dwg. No. 87170/1 Revision 'C', the dwelling shown coloured yellow shall be either a bungalow or chalet bungalow, which shall not have any windows in the northern or southern elevations and which shall have only obscure glazed fixed light windows in the western elevation.
- 8 The dwelling shown coloured orange on Dwg. No. 87170/1 Revision 'C' shall have only high level windows on its southern elevation at first floor level.
- 9 Any high level windows forming part of the development hereby permitted shall be constructed with a sill height of a minimum of 1.8 metres above finished floor level.
- 10 Notwithstanding the provisions of the Town and Country Planning General Development Order 1977 (or any Order revoking and re-enacting that Order), there shall be no extension or alteration to the external appearance of either dwelling without the express written consent of the local planning authority.
- 11 The existing hedges on all boundaries of the site shall be protected during the period of construction and such part or parts of the hedge as become damaged shall be replaced within the planting season following completion of development.
- 12 The landscaping scheme submitted in accordance with Condition 1 shall include details of all existing trees and hedges on the site showing clearly those to be removed and those to be retained.
- 13 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 5 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.
- 14 The details submitted in accordance with Condition 1 shall include the finished floor levels of the dwellings hereby permitted in relation to the level of Kingsdale Road and the existing site levels.

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Reasons contd/

- 6 In the interests of highways safety.
- 7 In the interests of the amenity and privacy of adjoining residential properties.
- 8 In the interestss of the amenity and privacy of adjoining residential properties.
- 9 In the interests of amenity and privacy.
- 10 In the interests of the amenity and privacy of adjoining residential properties.
- 11 To maintain and enhance visual amenity.
- 12 To ensure a satisfactory development.
- 13 To maintain and enhance visual amenity.
- 14 To ensure a satisfactory development.

Dated Tenth day of NOVEMBER 1988

Signed

CHIEF PLANNING OFFICER

Designation