

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

THE DISTRICT COUNCIL OF DACORUM
IN THE COUNTY OF HERTFORD

ToMrs WebbBrown and Merry
c/o Brown and Merry128 and 130 High Street
Berkhamsted
Herts. HP4 3AT

8 Dwellings (Outline) and Vehicular Accesses
.....
.....
at 35 Kings Road, Berkhamsted, Herts.
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.....

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 17.5.89 and received with sufficient particulars on 19.5.89 and shown on the plan(s) accompanying such application, subject to the following conditions:-

- 1The 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.

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1. To comply with the provisions of Regulation 5(2) of the Town and Country Planning General Development

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 maintain and enhance visual amenity.
5. To ensure the adequate and satisfactory provision of off-street vehicle parking facilities.
6. To maintain and enhance visual amenity.
7. In order that the trees on the site may be adequately safeguarded.
8. To ensure that the trees retained on the site are not adversely affected by any ground works.
9. To maintain and enhance visual amenity.
10. To ensure a satisfactory appearance.
11. In the interests of highways safety.
12. In the interests of highways safety.
13. In the interests of highways safety.
14. In the interests of highways safety.
15. In the interests of highways safety.

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[illegible]

(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/

3. Details submitted in accordance with Condition 1 hereof shall include:
 - (a) survey of the site including levels, natural features, trees and hedges;
 - (b) garaging and parking provision;
 - (c) refuse collection and general storage arrangements;
 - (d) boundary treatment;
 - (e) construction of drains and sewers.
4. Details of the ground floor levels of the buildings in relation to existing highways shall be submitted to and approved by the local planning authority before any development is commenced.
5. Details submitted in accordance with Condition 1 of this permission shall include detailed proposals for vehicle parking within the site in accordance with standards adopted by the local planning authority.
6. Details submitted in accordance with Condition 1 of this permission shall include a tree survey of the site recording the species, height, crownspread, bole diameter, age and condition of all the trees, and the height and spread of all the hedgerows located on the site, indicating those trees and hedges which it is proposed to remove and those which are to remain.
7. No demolition, site clearance or building operations shall commence until protective fencing of height of not less than 1.5 m shall have been erected around the trees proposed to be retained at a radius from the trunks which shall first have been agreed with the local planning authority. The fenced areas shall be kept clear of all excavated material, building material plant and rubbish.
8. Detailed drawings of all underground works, including those to be carried out by statutory undertakers, shall be submitted to and approved by the local planning authority before any building work is commenced; detailed drawings shall show the location, extent and depth of all excavations for drainage and other services in relation to the trees to be retained on the site, and all these works shall be carried out and completed in all respects in accordance with the drawings so approved.
9. 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.
10. The developer shall construct the crossover to Standards set out in the current edition of Hertfordshire County Council's "Specification for the Construction of Residential Estate Roads" and the development shall not be brought into use until the access is so constructed.


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SUBJECT TO THE FOLLOWING CONDITIONS: Contd/

11. The development shall not be brought into use until the existing vehicular crossovers in Kings Road have been closed and the kerbs and footway/verge reinstated to the standards set out in the current edition of Hertfordshire County Council's "Specification for the Construction of Residential Estates Roads".
12. A 2.4 m x 2.4 m visibility splay shall be provided each side of every access, measured from the edge of the accessway to the edge of the carriageway, within which there shall be no obstruction to visibility between 600 mm and 2.0 m above the carriageway level.
13. For every access, sight lines of 2.4 m x 35 m on Graemesdyke Road and 2.4 m x 70 m on Kings Road shall be provided in each direction within which there shall be no obstruction to visibility between 600 mm and 2.0 m above carriageway level.
14. Any garages shall be set back a minimum of 5.5 m from the highway boundary.
15. No gradient of any driveway shall be greater than 1 in 20 for the first 5 m from the edge of the carriageway.

Dated 30th day of November 1989

Signed 

CHIEF PLANNING OFFICER
Designation