

Town Planning  
Ref. No. 4/0931/89

## TOWN &amp; COUNTRY PLANNING ACTS, 1971 and 1972

Other  
Ref. No.

THE DISTRICT COUNCIL OF DACORUM BOROUGH COUNCIL  
IN THE COUNTY OF HERTFORD

To Chipperfield Homes Limited Collett Design, Arch'l Consultants  
Kings Works 17 Collett Road  
Kings Lane Hemel Hempstead  
Chipperfield Herts

..... Five Dwellings and Access Road .....

..... at 'Lane End', Shootersway Lane, Berkhamsted .....

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 .....22.5.89..... and received with sufficient particulars on .....24.5.89..... 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) No work shall be started on the development hereby permitted until details of the brickwork to be used externally on the dwelling of plot 3 hereby permitted shall have been submitted to and approved by the local planning authority shall be carried out in the brickwork so approved.
- (3) Details of the species of all the shrubbery to be planted as shown on the approved plan shall be submitted to and approved by the local planning authority prior to the commencement of work on plots 3,4 and 5.
- (4) All planting, seeding and turfing comprised in the landscaping shown on drawing No. 88/1314/11A, and the hedge referred to in Condition 15 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.

20. In the interests ensuring privacy between the respective units.
21. For the avoidance of doubt and in the interests of the residential amenity of the locality.

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) To ensure a satisfactory appearance.
- (3) To maintain and enhance visual amenity and to safeguard the residential amenity of the area.
- (4) To maintain and enhance visual amenity.
- (5) In the interest of the visual amenity of the site.
- (6) In the interests of safeguarding preserved trees at the site during construction work.
- (7) In the interests of safeguarding preserved trees at the site.
- (8) & (17) In the interests of the visual amenity of the locality and to safeguard preserved trees at the site.
- (9) In the interests of safeguarding nearby preserved trees.
- (10) In the interests of safeguarding nearby preserved trees and in the interests of the visual amenity of the locality.
- (11) In the interests of safeguarding nearby preserved trees and in the interests of safeguarding the privacy of "Oakleigh".
- (12)&(13) In the interests of the visual amenity of the locality.
- (14) To maintain and enhance visual amenity.
- (15) To maintain and enhance the visual amenity of the locality.
- (16) In the interests of highway safety.
- (18) In the interests of the visual amenity of the locality and to safeguard preserved trees at the site.
- (19) In the interests of the future health of the Walnut and Lime trees which are the subject of Dacorum Borough Council (Lane End, Shootersway Lane, Berkhamsted), Tree Preservation Order 1987.

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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.

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SUBJECT TO THE FOLLOWING CONDITIONS (CONTD/)

- (5) The siting of dwellings on plots 3,4 and 5 and the associated access road and shared driveway shall be accurately pegged out on site and inspected by the local planning authority prior to the commencement of constructional works.
- (6) The preserved Trees to be retained in accordance with this permission shall be clearly marked and served prior to the commencement of constructional works. The relevant trees should, during the period of construction, be protected at all times by Chestnut paling fences 1.5 m high at the full extent of their canopies or such lesser extent as may be agreed in writing with the local planning authority. The fencing shall be removed only when the development (including pipelines and underground works), has been completed, and none of the land within the fenced area beneath the canopies should be used for development including the storage of any goods and materials in connection with building operations or other purposes.
- (7) Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 (Schedule 2 Parts 1 Clauses A, E, F and G) or any amendment thereto there shall be no development under the aforesaid Classes within the residential curtilage of Plot 1.
- (8) Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 (Schedule 2 Part 2 Class A) or any amendment thereto there shall be no gate, fence, wall or other means of enclosure erected within the front gardens of plots 1, 2 and 3 and rear garden of plot 1 without the prior approval in writing of the local planning authority.
- (9) No underground pipes, cables or associated equipment/apparatus or walls and other means of enclosure shall be provided within the areas coloured yellow on drawing No. 88/1314/11A.
- (10) The area coloured yellow and referred to in Condition 9 shall at no time be used for the parking of vehicles.
- (11) Notwithstanding the provision of the Town and Country Planning General Development Order (Schedule 2 Part 1 Classes A, B, C, E, F, G and Part 2 Class A) or any amendment thereto, there shall be no development within the aforesaid Classes without the prior approval in writing of the local planning authority.
- (12) The access road and associated turning area hereby permitted shall be surfaced in brick paviors details of which shall be submitted to and approved by the local planning authority.
- (13) The shared driveway hereby permitted shall be surfaced in pea shingle.
- (14) The existing hedges on the south-western and north-eastern boundaries of the site shall be protected during the period of construction and such part of parts of the hedge as become damaged shall be replaced within the planting season following the completion of the development.
- (15) The north-western and south-eastern boundaries of the site shall be planted with a hedge, details of the species of which shall be submitted to and approved in writing by the local planning authority.

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SUBJECT TO THE FOLLOWING CONDITIONS (CONTD)

- (16) Sight lines of 2.4 m x 35 m 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 with the exception of the existing tree positioned to the north-east of the site access.
- (17) Excavations within the crownspread of Preserved Trees at the site shall be hand dug and any roots of greater than 600 mm in diameter should be bridged.
- (18) The driveway serving plot 1 shall be hand dug and constructed of terram matting with gravel.
- (19) The crosshatched area of land shown coloured yellow on drawing no. 88/1314/11.A shall be restored to its original ground level and the roots of the Walnut and Lime trees shall be trimmed to the satisfaction of the local planning authority. The base of the section of existing roadway abutting this hatched area shall be excavated and reinstated in accordance with a scheme to be submitted to and approved by the local planning authority. The approval scheme shall be carried out prior to commencement of work on plots 3, 4 or 5.
- (20) Closeboard fences of 5 ft 6 in. in height shall be erected along the common boundaries between plots 3, 4 and 5 prior to the occupation of the dwellinghouses hereby permitted.
- (21) There shall be no vehicular access formed between the site and Wayfarers Park.

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Dated ..... Seventh ..... day of ..... September ..... 1989

Signed .....  .....

Designation ..... CHIEF PLANNING OFFICER .....