

Town Planning  
Ref. No. 4/0948/88

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

Other  
Ref. No.

THE DISTRICT COUNCIL OF

... DACORUM

IN THE COUNTY OF HERTFORD

To Clifford W and R C Shrimplin  
11 Cardiff Road  
Luton  
Beds LU1 1PP

Sparrows Herne Development Limited  
42/44 Alma Street  
Luton  
Beds LU1 2PL

Use of land for growing trees, etc, erection of single...  
storey building (office, tool shed & garage) and provision  
of parking area for use by landscape gardening contractor  
at Land adjoining The Lodge; Luton Road; Markyate

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 12.5.88 and received with sufficient particulars on 19.5.88 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 five years commencing on the date of this notice.
- (2) No work shall be started on the development hereby permitted until details of materials to be used externally shall have been submitted to and approved by the local planning authority, and the development hereby permitted shall be carried out in the materials so approved.
- (3) Notwithstanding the provisions of the Town and Country Planning General Development Order 1977, or any amendments thereto:
  - (a) no development falling within the provisions of Class VI, paragraphs 1 and 4; and
  - (b) no vehicular access, parking, turning or hardstanding area other than that shown on Drawing No. 8167/2A
 shall be carried out within the site except with the express grant of planning permission.

contd./...

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) In order that the local planning authority may retain control over further development in the interests of visual amenity.
- (4) To ensure the proper development of the site.
- (5) To safeguard and maintain the strategic policies of the local planning authorities as expressed in the County Structure Plan and Dacorum District Plan.
- (6) In general development in the countryside is contrary to the local planning authority's general planning policy for the area and, were it not for the special agricultural justification which has been established in this instance, the development would not be permitted.
- (7) To safeguard and maintain the strategic policies of the local planning authorities as expressed in the County Structure Plan and Dacorum District Plan.
- (8) To maintain and enhance visual amenity.
- (9) To maintain and enhance visual amenity.

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 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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CONDITIONS (contd)

- (4) Within one month of the erection of the building or the provision of the parking area hereby permitted the land shall be cleared (with the exception of those boundary trees that are to remain) and prepared for planting.
- (5) The land and building shall only be used for agricultural purposes as defined in s.290 (1) of the Town and Country Planning Act 1971, and in particular the building shall only be used for purposes incidental to the agricultural use of the land.
- (6) If at any time the land ceases to be used for agricultural purposes, the use of the building and parking area shall also cease.
- (7) There shall be no retail sales from the site with the exception of plant material grown on the land.
- (8) No development shall take place until there has been submitted to and approved by the local planning authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development, and details of numbers, species and proposed planting location of all new trees, shrubs and hedgerows.
- (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.

Dated ..... Eighth ..... day of ..... September ..... 1988

Signed  .....

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

date 5 April 1991  
your reference HH/3B  
our reference 4/0948/88/AEM/SR  
contact Mr A Markham  
extension 2579



**DACORUM BOROUGH COUNCIL**

twinned with Neu-Isenburg  
Germany

Civic Centre Hemel Hempstead Herts HP1 1HH  
Telephone (0442) 60161 Switchboard  
(0442) 228579 Directline

Lillywhite Landscape 1976  
10 Vincent Road  
Leagrave  
Luton  
Beds  
LU4 9AW

Dear Sir

**LAND ADJOINING THE LODGE, LUTON ROAD, MARKYATE**

Thank you for your letter of 19 March 1991 which was received in this office on 25 March, having been incorrectly addressed.

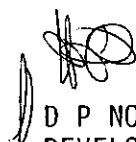
You will be aware that planning permission was granted in 1988 for the use of land for growing trees, the erection of a single storey building and provision of a parking area. I assume that your letter seeks approval of those matters reserved by the local planning authority for subsequent approval under the conditions on that planning permission.

The building shown on the planning application drawing was a brick and tile structure and there is no permission for any portable buildings. I am therefore somewhat mystified by your comments in paragraph 2 of your letter relating to the construction of portable buildings. If it is your intention to erect portable buildings, then a fresh planning application will be required. In addition, Condition No. 3 prevents the construction of any additional parking, turning or hardstanding other than that shown on the drawing. Therefore if you require additional areas of hardstanding, again a further planning application will be required.

Conditions Nos 8 and 9 require a landscape scheme to be submitted and carried out. The statement in paragraph 8 of your letter, that you do not intend to carry out any landscape planting, is therefore not acceptable to the Council. If you propose to implement the approved scheme, then the local planning authority will expect the landscape scheme to be submitted beforehand and that it be carried out. Failure to do so would render you liable for enforcement proceedings. However, elsewhere in your letter it is implied that some planting would be carried out and I would suggest that the appropriate course of action would be for you to prepare a plan showing what you intend.

If you have any queries please contact Mr Markham of my department.

Yours faithfully



D P NOBLE  
DEVELOPMENT CONTROL MANAGER  
PLANNING DEPARTMENT