

S

Town Planning

Ref. No. 4/0974/87

Other

Ref. No.

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

THE DISTRICT COUNCIL OF

DACORUM

IN THE COUNTY OF HERTFORD

To Fairclough Homes Ltd
93 St Peters Street
St Albans

The Barton Willmore Partnership
Beansheaf Farmhouse
Bourne Close
Reading

.... 8. Two bedroom and 17. one bedroom flats
.... (modification)
at .. C/E School Site, Church Lane, Kings Langley

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 29 June 1987
and received with sufficient particulars on 29 June 1987
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 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.

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 maintain and enhance visual amenity.
- (3) To maintain and enhance visual amenity.
- (4) To ensure satisfactory development.
- (5) To ensure satisfactory appearance.
- (6) In the interests of highways safety.

Dated.....day of.....19.....

Signed.....

Designation **CHIEF PLANNING OFFICER**

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.

CONDITIONS (Cont'd)

3. 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.
4. Before the development hereby permitted is occupied parking space for 13 vehicles shall be laid out and constructed and thereafter maintained to the satisfaction of the local planning authority.
5. 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.
6. 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.

Dated

9th

day

of DECEMBER 1987

Signed

Designation Chief Planning Officer

TOWN & COUNTRY PLANNING ACT 1971

**DACORUM BOROUGH COUNCIL**

To: The Barton Willmore Partnership
Beansheaf Farmhouse
Bourne Close
Calcot
Reading
RG3 7BW

Details of Landscaping

Erection of Elderly Persons Dwellings

C of E School Site, Church lane, Kings Langley

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 gives approval to the details which were reserved for subsequent approval in planning permission no 4/0974/87

granted on 9 December 1987 at the above-mentioned
location in accordance with the details submitted by you, with your
application dated 7 October 1987.

Dated 10 day of December 19 87

Signed

Designation Chief Planning Officer

NOTE: This is not a separate planning permission, but must be read in conjunction with any conditions attached to the permission indicated above.

DATED

9th December

1987

DACORUM BOROUGH COUNCIL

and

FAIRCLOUGH HOMES LIMITED

and

SANDYMOUNT HOUSING ASSOCIATION LIMITED

AGREEMENT

under S.52 of the Town and
Country Planning Act 1971
and S.33 of the Local Government
(Miscellaneous Provisions) 1982
in respect of
The Old School Site
Church Lane and
7-13 High Street
Kings Langley
Hertfordshire

Keith Hunt
Borough Secretary
Dacorum Borough Council
Civic Centre
Marlowes
Hemel Hempstead
Hertfordshire
HP1 1HH

File Ref:AMB/PEC/S.52/32/126/86/BS.6B/4.87

THIS AGREEMENT is made the 9th day
of December One thousand nine hundred and eighty-seven
BETWEEN DACORUM BOROUGH COUNCIL of Civic Centre Marlowes
Hemel Hempstead Hertfordshire HP1 1HH (hereinafter called "the
Council") of the first part and FAIRCLOUGH HOMES LIMITED whose
registered office is at 14 South Audley Street London W1Y 5DP
(hereinafter called "the Owner" which expression shall include its
successors in title or assigns) of the second part and SANDYMOUNT
HOUSING ASSOCIATION LIMITED whose registered office is at 27 London
End Beaconsfield Buckinghamshire HP9 2HN (hereinafter called "the
Association") of the third part

WHEREAS :

- (1) The Council is the local planning authority for the purposes of the Town and Country Planning Act 1971 for the Borough of Dacorum and a principal Council within the meaning of s.33 of the Local Government (Miscellaneous Provisions) Act 1982
- (2) The Owner is the owner in unencumbered fee simple of land known as The Old School Site Church Lane Kings Langley Hertfordshire (hereinafter called "the Land")
- (3) The Owner has made an application for planning permission under reference number 4/0974/87 for 8 two bedroomed and 17 one bedroomed flats (hereinafter called "the Development")
- (4) The Association is the owner in unencumbered fee simple of land at 7-13 High Street Kings Langley Hertfordshire (hereinafter called "the Second Area of Land")
- (5) The parties hereto wish to enter into an Agreement in respect of the Land and the Second Area of Land pursuant to s.52 of the Town and Country Planning Act 1971 and s.33 of the Local Government (Miscellaneous Provisions) Act 1982

N O W T H I S D E E D W I T N E S S E S as follows:-

1. THIS Agreement and the covenants herein contained are expressly made pursuant to s.52 of the Town and Country Planning Act 1971 and s.33 of the Local Government (Miscellaneous Provisions) Act 1982
2. IN consideration of the covenants on the part of the Owner and the Association hereinafter contained the Council hereby covenants with them that the Council will grant planning permission in respect of the application subject to the conditions set out in the Schedule hereto:-
3. THE Owner hereby covenants with the Council:-
 - (i) That each flat in the Development shall be occupied by at least one person who shall be aged sixty or over ("the Qualifying Person") provided however that if the Qualifying Person shall die or become incapable of residing at the flat any other person who resided at the flat with the Qualifying Person may remain in occupation and provided no flat shall be occupied by anyone who is not aged fifty-five or over
 - (ii) That it will enter into a Lease jointly with the Association on the sale of each flat on the Land
 - (iii) That on the date of completion of the sale of the twenty-fifth flat on the Land it will transfer the freehold of the Land to the Association
 - (iv) That it will pay the reasonable legal costs incurred by the Council in the preparation of this Agreement
4. THE Association hereby covenants with the Council:-
 - (i) That it will enter into Leases jointly with the Owner on the sale of flats on the Land by the Owner
 - (ii) That on the date of completion of the sale of the twenty-fifth flat it will take a transfer of the freehold of the land from the Owner
 - (iii) That from the date referred to in (ii) above it will maintain the land together with the Second Area of

Land as if the land and the Second Area of Land were
comprised in the same parcel of land

5. THIS Agreement shall be registered as a Local Land Charge

I N W I T N E S S whereof the parties hereto have set their
respective Common Seals the day and year first before written

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

)
)
)
)

L.S.

Chief Executive

Assistant Secretary
(Admin)

THE COMMON SEAL of
FAIRCLOUGH HOMES LIMITED
was hereunto affixed in
the presence of:-

)
)
)
)

L.S.

Director

Secretary

THE COMMON SEAL of
SANDYMOUNT HOUSING ASSOCIATION
LIMITED was hereunto affixed
in the presence of:-

)
)
)
)

L.S.

Committee Member

Committee Member