

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

THE DISTRICT COUNCIL OF _____ DACORUM

IN THE COUNTY OF HERTFORD

To Roger S Wannell Esq
'Overdale'
78 Kings Road
Berkhamsted
Herts

One dwelling and alterations to access (Outline).....

at 78 Kings 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 .. undated .. and received with sufficient particulars on .. 18th August 1982 .. 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.
- 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 developer shall construct the access to the 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.
- 4 A 4.5m x 4.5m visibility splay shall be provided on the west side of the access, measured from the edge of the accessway to the edge of the carriageway, within which there shall be no obstruction to visibility between 600mm and 2.0 metres above the carriageway level.
- 5 Any gates provided shall be set back a minimum of 5.0 metres from the edge of the carriageway and shall open inwards into the site.

- 6 The development shall not be brought into use until a properly consolidated and surfaced turning space for vehicles has been provided within the curtilage of the site.
- 7 The gradient of the driveway shall not be greater than 1 in 20 for the first 5 metres from the edge of the carriageway.
- 8 There shall be only one point of access onto the County Road, no less than 4.1m wide for the first 5m back from the edge of carriageway.

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 Orders 1977.
2. To comply with the requirements of Section 42 of the Town and Country Planning Act, 1971.
3. To ensure safe access to and from the development.
4. To provide adequate visibility for drivers entering or leaving the site.
5. So that a vehicle may wait clear of the carriageway or footway while the gates are opened or closed.
6. So that vehicles may enter and leave the site in forward gear in the interest of highway safety.
7. So that a vehicle is approximately level before being driven into the carriageway.
8. So that the number of places on the highway where turning movements can occur are kept to a minimum in the interests of highway safety.

Dated 5th October 1982

Signed *[Signature]*
CHIEF PLANNING OFFICER
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.