

Town Planning

Ref. No. 4/1023/85

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Other

Ref. No.

THE DISTRICT COUNCIL OF DACORUM

IN THE COUNTY OF HERTFORD

To

Mill Lodge Properties Ltd
 St. Alphage House
 Fore Street
 London EC2P 2HJ

C.J. Stokes
 Unit Construction Co. Ltd.
 Unit House, 33 London Road
 Reigate, Surrey, RH2 9HZ

..... 109 Dwellings, garages, parking and estate roads

.....

at Sectors D, E, G and H Tunnel Fields, 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 6 August 1986 and received with sufficient particulars on 7 August 1986 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) The dwellings and garages hereby permitted shall be constructed externally using the materials specified on Drawing Nos. E196/7B, E196/8B and E196/9B.
- (3) No obstruction more than 600 mm above carriageway level shall be placed within the visibility sight lines or the forward visibility curves shown on Drawing Nos. E196/4 and E196/3A.
- (4) The development hereby permitted shall be carried out in phases as follows:
 - (a) up to 30 September 1987, no more than 45 dwellings shall be occupied (Phase 1);
 - (b) between 1 October 1987 and 30 September 1988, no more than 40 dwellings shall be occupied (Phase 2);
 - (c) on or after 1 October 1988, any balance of the development outstanding may be occupied (Phase 3).

Conditions (Cont'd)

5. All planting, seeding and turfing forming part of the approved landscaping scheme shall be carried out in accordance with the details shown on Drawing Numbers E196/5A and E196/6 and in accordance with the specification of the Hertfordshire County Council set out in paragraphs 4.12 and 4.13 of 'Residential Roads in Hertfordshire', and
 - (a) all the approved landscaping details relating to phase 3 shall be carried out and completed no later than the first planting season following the first rateable occupation of the last house in this phase; and
 - (b) no dwelling in phases 2 or 3 (as defined in Condition 4 above) shall be occupied until all the approved landscaping details in the respective preceding phase shall have been carried out.
6. Any trees, plants or areas of grass which, within five years from the first occupation of the last house forming part of the relevant phase of the development within which they are situated, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with other plants of similar size and species or with new grass seeding or turfing, unless the local planning authority shall have given written consent to any variation.
7. None of the dwellings on plots 64 to 70 inclusive indicated on Drawing Number E196/4 shall be occupied until the following works have been completed:
 - (a) the construction of St. Katharine's Way from Dorrien's Croft to Springfield Road;
 - (b) the construction of the junction between St. Katharine's Way and Springfield Road; and
 - (c) the construction of Springfield Road from its junction with Haynes Mead to the new junction with St. Katharine's Way.
8. None of the dwellings on Plots 101 to 109 inclusive indicated on Drawing Number E196/4 shall be occupied until the following works have been completed;
 - (a) the works referred to in Condition 7. (a), (b) and (c) above;
 - (b) the construction of Springfield Road north-westwards from its junction with St. Katharine's Way up to and including its connection to New Road;
 - (c) the construction of the diversion of New Road to its new junction with Springfield Road; and
 - (d) the construction of the new junction between Springfield Road and New Road.
9. The play area in Sector D and the areas of open space outside of the individual curtilages of the dwellings hereby permitted shall be maintained for these purposes and shall not be used for any other purpose.
10. No dwelling shall be occupied until access and vehicle parking spaces have been provided in accordance with the details shown on Drawing Numbers E196/3A and E196/4.

Designation: CHIEF PLANNING OFFICER

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 the satisfactory appearance of the development.
- (3) In the interests of highway safety.
- (4) To limit the impact on the A41 of traffic generation arising from the development hereby permitted in advance of the construction of the Berkhamsted By-Pass.
- (5) In the interests of amenity.
- (6) In the interests of amenity.
- (7) To ensure that the road network is adequate to serve the development hereby permitted.
- (8)
- (9) To maintain and enhance visual amenity and to ensure the proper development of the site.
- (10) To ensure the proper and satisfactory layout and development of the site.
- (11) In the interests of public safety.
- (12) To ensure the safe, durable, attractive and proper development of the site.

Dated.....27th.....day of August.....1986.....

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.