

Town Planning 4/1232/89

Ref. No.

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Other

Ref. No.

THE DISTRICT COUNCIL OF

DACORUM

IN THE COUNTY OF HERTFORD

To Mr and Mrs R Gamble
 Harford House
 Cheverells Green
 Markyate

Nash Parker Architects
 1 Prince of Wales Passage
 117 Hampstead Road
 London NW1 3EF

Removal of condition 3 of planning permission 4/1126/
 76 and condition 3 of planning permission 4/0686/77
 (occupancy)
 at
 "Harford House, Cheverells Green, 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 14 July 1989 and received with sufficient particulars on 19 July 1989 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) This permission shall not have effect until such time as the development granted under planning permission 4/1259/89, dated 13th July 1990, shall have been implemented.

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) For the avoidance of doubt as the local planning authority has only approved the removal of the occupancy condition as part of an overall scheme for the land edged red which secures works to "Cheverells" which is a Grade II* Listed Building.

Dated 17th day of July 1990

Signed.....*Wm. S. ...*

Designation DIRECTOR OF PLANNING.....

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.

DATE

21 st June

1990

DACORUM BOROUGH COUNCIL

(1)

and

ALICE GERTRUDE

GAMBLE

(2)

and

RICHARD

GAMBLE

(3)

and

JENNIFER

GAMBLE

AGREEMENT pursuant to S.52 Town and
Country Planning Act 1971 and S.33 Local Government
(Miscellaneous Provisions) Act 1982
relating to land situate at:

"Cheverells"
Cheverells Green
Markyate
Herts

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

— ?

File Ref: 1.90/S.52/32/126/155/SB/PEC/BS.6

THIS AGREEMENT is made the 21st
day of June 1990
BETWEEN DACORUM BOROUGH COUNCIL of Civic Centre Marlowes
Hemel Hempstead Hertfordshire HP1 1HH (hereinafter called "the
Council") of the first part and the Owner described in the First
Schedule hereto (hereinafter called "the Owner" which expression
shall include the Owner's successors in title and assigns) of the
second part and RICHARD GAMBLE and JENNIFER GAMBLE of
"Harford House" Cheverells Green Markyate Hertfordshire
(hereinafter called "the Applicants") of the third part

WHEREAS

- (1) The Council is the local planning authority for the purposes of the Town and Country Planning Act 1971 as amended for the area of land described in the First Schedule hereto (hereinafter called "the land") and also a principal Council within the meaning of s.33 of the Local Government (Miscellaneous Provisions) Act 1982
- (2) The Owner is entitled to the interest in the land described in the First Schedule hereto
- (3) Application has been made to the Council for planning permission under the Application Number and for the development described in the Second Schedule hereto (hereinafter called "the Development")
- (4) This Agreement is made pursuant to s.52 of the Town and Country Planning Act 1971 and s.33 of the Local Government (Miscellaneous Provisions) Act 1982

NOW THIS DEED WITNESSETH AS FOLLOWS:

1. IN the event that planning permission with or without conditions is granted by the Council or by the Secretary

of State for the Environment pursuant to the Application described in The Second Schedule hereto (hereinafter called "the Application") and such planning permission shall be implemented then this Agreement shall have full force and effect but not otherwise save that Clause 3 (b) hereof shall have full force and effect from the date hereof

2. IN consideration of the Covenants on the part of the Owner contained in the Third Schedule hereto the Council hereby Covenants with the Applicants that the Council will forthwith grant planning permission pursuant to the Application with or without the conditions
3. IN consideration of the Council's Covenant contained in Clause 2 hereof the Owner hereby Covenants and undertakes with the Council
 - (a) to observe and perform the Covenants set out in the Third Schedule hereto
 - (b) to pay the Council's reasonable costs in the preparation hereof on the execution of this Agreement
4. This Agreement shall be registered as a Local Land Charge

I N W I T N E S S W H E R E O F the parties hereto have (set their hands and seals and) caused their common seals to be hereunto affixed the day and year first before written

FIRST SCHEDULE

The Owner

Name: ALICE GERTRUDE GAMBLE

Address :

~~Registered Office:~~ "Cheverells" Cheverells Green Markyate
Hertfordshire

The Land

All that land known as "Cheverells" Cheverells Green Markyate
Hertfordshire and shown edged red on the Plan annexed hereto

The Owner's Interest in the Land

Unencumbered fee simple in possession

SECOND SCHEDULE

The Application and the Development

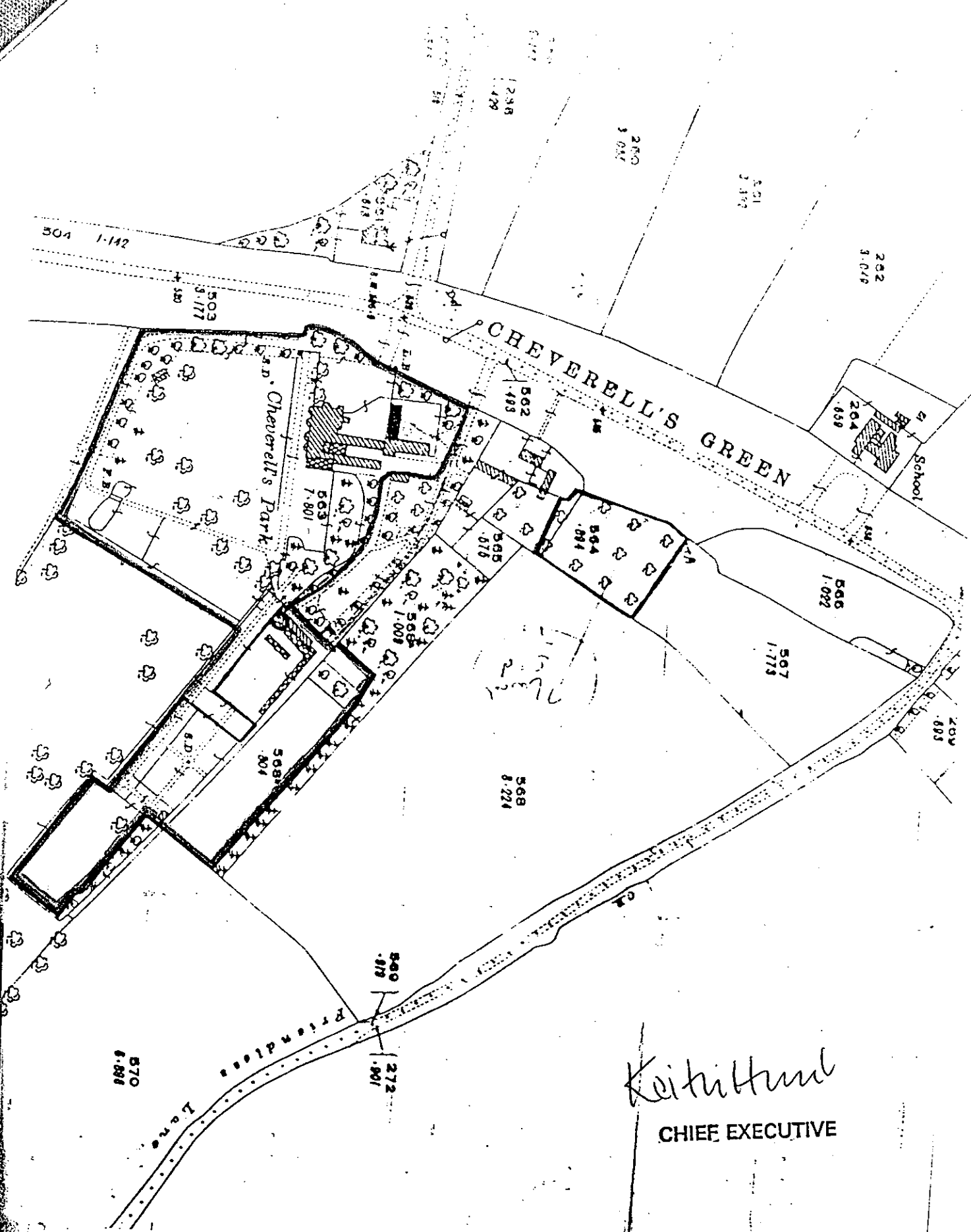
Application No.4/1259/89

The Development consists of the conversion of stables harness
room and coachhouse to form a residential unit

THIRD SCHEDULE

Covenants of the part of the Owner

The Owner hereby covenants with the Council to carry out or to
allow the carrying out of the repair works listed below to the
dwelling known as "Cheverells" Cheverells Green Markyate
Hertfordshire and which is shown coloured yellow on the plan
annexed hereto AND FURTHER COVENANTS with the Council that the

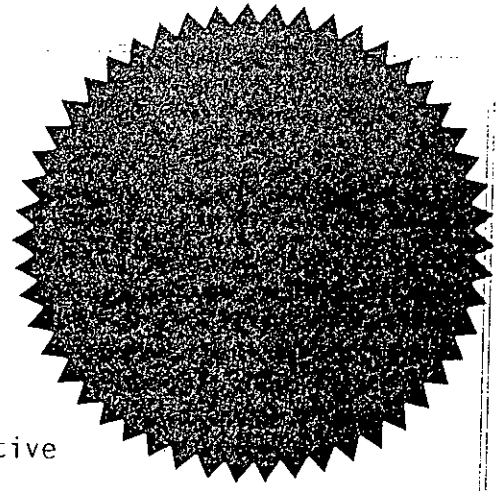


Keith Hunt
CHIEF EXECUTIVE

said repair works shall be completed within 12 months of the first occupation of the new residential unit the subject of the planning application reference number 4/1259/89:

1. Check bedding of chimney pots to the chimney stacks to the main house and annexe and rebed as necessary
2. Brake out and repoint defective areas of pointing to chimney stacks to main house and annexe
3. Make up two small areas of parapet gutters to main house to eliminate ponding
4. Recast tops to urns and replace in sand/cement bed all defective or broken tops
5. Check all parapet urns and balls and refix any loose or defective ones
6. Brake out and repoint all open joints to external cornices to main house at first floor level
7. Cut back and rerender to match existing loose areas of render to each end of the parapet wall to the front elevation
8. Make good cornice to match existing to front elevation right hand end

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



Keith Hunt

Chief Executive

Assistant Secretary
(Admin)



SIGNED SEALED and
DELIVERED by the
Owner in the presence
of:

A. L. Sample

Name:
I. T. J. MACE
Address: Solicitor
Occupation: Dunstable
S. V.

SIGNED SEALED and
DELIVERED by the
Applicants in the presence
of:

John J. Sample

Name: C. J. COOK
Address: 57 LINCOLN CLOSE, WELWYN GARDEN CITY
Occupation: ARCHITECTURAL ASSISTANT

1.90/S.52/32/126/155/SB/PEC/BS.6