

TOWN AND COUNTRY PLANNING ACTS, 1971 TO 1974

BUILDINGS OF SPECIAL ARCHITECTURAL
OR HISTORIC INTERESTTown Planning 4/1234/89
Ref. No.Other
Ref. No.

THE DISTRICT COUNCIL OF DACORUM

IN THE COUNTY OF HERTFORD

To: Mr & Mrs R Gable
Harford House
Cheverells Green
Markyate HertsNash Parker Architects
1 Prince of Wales Passage
117 Hampstead Road
London NW1 3EF

..... Alterations to existing flat, stables,
 coachhouse and harness room
 at "Cheverells" Cheverells Green
 Markyate

Description and
location of
proposed works

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 grants listed building consent to the works described above and proposed by you in your application dated 14.7.89 and received with sufficient particulars on 19.7.89 and shown on the plan(s) accompanying such application subject to the following conditions:

1. The works to which this consent relates shall be begun within a period of 5 years commencing on the date of this notice.
2. The flat brick arches to the windows to which this consent relates shall be of the same colour, texture and type of brick as those of the existing building.
3. The windows to which this consent relates shall be of timber construction, painted white and be double hung sashes.
4. Any replacement roof tiles shall be of the same colour, texture and type as the existing clay peg roof tiles and shall be of secondhand origin.
5. All new window cills shall be of reconstituted stone.
6. The terrace paving shown on Drawing No. 18 (1:200) shall be of natural York stone or of an alternative material, details of which shall be submitted to and approved prior to the commencement of the works to which the consent relates.
7. Elevational details of the new gates and fencing referred to on Drawing No. 18 shall be submitted to and approved by the local planning authority.
8. Any new guttering or downpipes that are installed to serve the dwellinghouse shall be of cast iron or aluminium and painted black.
9. All doors shall be of timber construction.

The reasons for the Council's decision to grant listed building consent for the works proposed subject to the above conditions are:

1. To comply with the requirements of Section 56A of the Town and Country Planning Act 1971.
- 2.)
- 3.) In the interests of the appearance of the listed building and for the
- 4.) avoidance of doubt
- 5.)
- 6.) In the interests of the setting of the listed building and for
- 7.) the avoidance of doubt.
8. In the interests of the appearance of the listed building and for the avoidance of doubt.
9. In the interests of the appearance of the listed building and for the avoidance of doubt.

Dated.....13th..... day of..... July..... 19...90...

Signed..........

Designation.....Director of Planning.....

NOTE

1. If the applicant is aggrieved by the decision of the local planning authority to refuse listed building consent for the proposed works, or to grant consent subject to conditions, he may, by notice served within six months of receipt of this notice, appeal to the Secretary of State for the Environment in accordance with part one Schedule 11 to the Town and Country Planning Act, 1971. The Secretary of State has power to allow a longer period for the giving of a notice of appeal and he will exercise his power in cases where he is satisfied that the applicant has deferred the giving of notice because negotiations with the local planning authority in regard to the proposed works are in progress.

2. If listed building consent 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 works which have been or would be permitted, he may serve on the council of the county district, in which the land is situated a listed building purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Section 190 of the Town and Country Planning Act, 1971.

3. 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 171 of the Town and Country Planning Act, 1971.

Attention is drawn to Section 55(2)(b) of the Act, the effect of which is that demolition may not be undertaken (despite the terms of the consent granted by the local planning authority) until notice of the proposal has been given to the Royal Commission on Historical Monuments, Fortress House, 23 Saville Row, London W1X 2HE, and the Commission subsequently have either been given reasonable access to the building for at least one month following the grant of consent, or have stated that they have completed their record of the building or that they do not wish to record it.

DATE

1990

DACORUM BOROUGH COUNCIL (1)

and

GAMBLE (2)

and

GAMBLE (3)

and

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

T H I S A G R E E M E N T is made the

day of

1990

B E T W E E N 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 R GAMBLE and GAMBLE of "Cheverells" Cheverells Green Markyate Hertfordshire (hereinafter called "the Applicants") of the third part

W H E R E A S

- (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

N O W T H I S D E E D W I T N E S S E T H A S F O L L O W S :

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: GAMBLE

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

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:)

Chief Executive

Assistant Secretary
(Admin)

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

Name:
Address:
Occupation:

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

Name:
Address:
Occupation:

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