

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

DP

THE DISTRICT COUNCIL OF _____ DACORUM

IN THE COUNTY OF HERTFORD

To Alath Construction Ltd.
24 Lincoln Court
Berkhamsted
Herts.

Mr A E King
Wetherby House
The Hemmings
Shootersway, Berkhamsted

..... Two dwellings - Outline
.....
at .. Land at 2 Homefield, Bovingdon, 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 1977-81 the development proposed by you in your outline application dated 12.11.85 and received with sufficient particulars on 12.11.85 amended 2.1.86 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. A 2.4 m x 2.4 m visibility splay shall be provided each side of the access, measured from the edge of the accessway to the back of footway within which there shall be no obstruction to visibility between 600 mm and 2.0 m above footway level.
4. 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.

cont'd./

5. The existing trees and hedgerow on the Green Lane frontage shall be protected during the course of the development. Any trees and/or part of the hedgerow that 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. Nothing in this condition shall preclude the formation of a vehicular access to serve the proposed dwelling fronting Green Lane as shown on drawing number 4/1433/85. There shall be no separate pedestrian access from Green Lane.

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 Order 1977.
2. To comply with the requirements of Section 42 of the Town and Country Planning Act, 1971.
3. In the interests of highway safety.
4. To ensure proper development of the site.
5. In the interests of amenity and to maintain the character of the street scene.

Dated 30th day of January 19 86

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 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.