

Town Planning **✓ 1526/80**
 Ref. No.

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Other

Ref. No.

THE DISTRICT COUNCIL OF
 IN THE COUNTY OF HERTFORD

DACOWEN

To **Abbeyfield Berkhamsted & District Society, 175 High Street, Berkhamsted, Herts.** **Michael Tollit & Co., Haresfoot, Berkhamsted, Herts.**

Elderly persons home, housekeepers flat, six

elderly persons flats, parking and access on land

adjacent to Pond Cottage, Common Gardens, Potten

End.

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 **14th October 1980** and received with sufficient particulars on **14th October 1980** 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) No work shall be started on the development hereby permitted until details of bricks and tiles to be used externally shall have been submitted to, and approved by, the local planning authority, and the development hereby permitted shall be carried out in the materials so approved.
- (3) Adequate arrangements shall be made to the satisfaction of the local planning authority for the protection of all trees on the site which are to be retained to prevent damage during constructional works. Any trees accidentally damaged shall be replaced by approved species in the first planting season thereafter.
- (4) The existing natural hedge on all boundaries of the site shall be retained and thickened where necessary and adequate arrangements to the reasonable satisfaction of the local planning authority made to prevent damage during constructional works.
- (5) Notwithstanding the provisions of the Town and Country Planning General Development Order 1977 or any amendments thereto no gate, fence, wall, hedge or other means of enclosure shall be provided in front of any building hereby permitted without express permission in writing from the local planning authority.

Conditions cont'd.

- (6) The development hereby permitted shall not be occupied until the arrangements for vehicle parking, circulation, shown on plan 348/2 shall have been provided and they shall be maintained at all times thereafter.

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 satisfactory appearance.
- (3) In the interests of visual amenity.
- (4) To maintain and enhance visual amenity.
- (5) To ensure proper development and visual and general amenity.
- (6) To ensure proper use of the site and avoid obstruction on adjacent highways.

Dated.....4th.....day of.....December.....19.80.....

Signed.....

Designation Director of Technical Services

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.