

Town Planning

Ref. No. 4/1649/89

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Other

Ref. No.

THE DISTRICT COUNCIL OF
IN THE COUNTY OF HERTFORD

DACORUM

To S Dell (Investments) Limited
Silverdale
Gossoms End
Berkhamsted
Herts.

Brian Branwhite
Surveyors
Barclays Bank Chambers
65 High Street
Tring
Herts. HP23 4AD

Detached building to form two residential units

at Land off Middle Road, Berkhamsted, 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 the development proposed by you in your application dated 25 September 1989 and received with sufficient particulars on 4 October 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) No work shall be started on the development hereby permitted until details of materials 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.

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- (11) In the interests of highways safety.
- (12) In the interests of highways safety.
- (13) To ensure that the parking spaces shown green on the approved drawing are properly used and to avoid the partial encroachment of highway by parked vehicles.
- (14) For the avoidance of doubt.
- (15) In the interests of the appearance of the building within the street scene and for the avoidance of doubt.

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) In the interests of the visual amenity of the locality.
- (3) To ensure the adequate and satisfactory provision of off-street vehicle parking facilities.
- (4) To permanently demarcate the parking spaces associated with the respective dwellinghouses hereby permitted in order to ensure the adequate and satisfactory provision of off-street parking facilities for the respective dwellinghouses at all times.
- (5) In the interests of ensuring the privacy between the respective dwellinghouses hereby permitted.
- (6) In the interests of ensuring the privacy between the respective dwellinghouses hereby permitted.
- (7) In the interests of ensuring privacy between the existing and dwellinghouses hereby permitted.
- (8) (a) In the interests of highway safety by preventing vehicles overhanging the site's curtilage boundary with Middle Road.
(b) In the interests of ensuring the permanent adequate and satisfactory provision of off-street parking facilities and in the interests of highway safety.
- (9) In order that the local planning authority may retain control over further development to ensure the respective dwellinghouses are each served by a garage and parking space.
- (10) In order that the local planning authority may retain control over further development in the interests of the residential amenity of adjoining dwellinghouses and to ensure that adequate amenity space is retained for each unit.

Dated.....day of.....19.....

Signed.....

Designation

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.

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3. The dwellinghouses hereby permitted shall not be occupied until the parking spaces between the front piers of the garages and Middle Road coloured green on Drawing No. 3307/4A shall have been provided and they shall not be used thereafter otherwise than for the parking of vehicles.
4. Notwithstanding the details shown on Drawing No. 3307/4A a 0.3' m high dwarf wall shall be erected and permanently retained along the section of driveway boundary between the respective dwellinghouses as shown in brown on the aforementioned drawing.
5. The dwellinghouses hereby permitted shall not be occupied until the boundary wall coloured yellow on Drawing No. 3307/4A shall have been provided and thereafter permanently retained.
6. A 1.8 m fence shall be erected prior to occupation of the dwellinghouses and permanently retained along the common boundary between the wall referred to in Condition 5 and the rear north eastern boundary wall of the site.
7. The existing north western, north eastern and south eastern boundary walls which shall enclose the rear gardens of the dwellinghouses hereby permitted shall be permanently retained.
8. Notwithstanding the details shown on Drawing No. 3307/4A the doors of the integral garages of the dwellinghouses hereby permitted shall be of an 'up and over' type.
9. Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 (Schedule 2 Part 1 Class A) or any amendments thereto there shall be no change to the external appearance of the front and side elevations of the integral garages of the dwellinghouses hereby permitted without the express written permission of the local planning authority.
10. Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 (Schedule 2 Part 1 Classes A, B, C and D) or any amendments thereto the rear elevations of the dwellinghouses hereby permitted shall not be enlarged, improved or altered without the express written permission of the local planning authority.
11. Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 and Condition 3 there shall be no gates, walls or other means of enclosure erected or constructed between the front walls of the dwellinghouses hereby permitted and the back edge of the highway.
12. The following works shall be carried out to the existing boundary wall coloured purple on Drawing No. 3307/4A:
 - a. reduction to a height of 600mm (2 ft) above the ground level of the front garden of No. 16 Middle Road as measured from where the garden land of this property abuts the wall,
 - b. reduction to the height specified in a. above, along the length of wall coloured purple.

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13. Notwithstanding the details shown on Drawing No.3307/4A a 0.2 m high dwarf wall shall be erected and permanently retained around the edge of the areas coloured orange.
14. The dwellinghouses hereby permitted shall not be occupied until the walls referred to in Conditions 4 and 13 shall have been erected in the approved positions.
15. The ridge level of the building hereby permitted shall not exceed that of No. 16 Middle Road, Berkhamsted.

Dated 5 February 1990

Signature

Colin Bannard

Designation

Chief Planning Officer