

D.C. 3

Town Planning
Ref. No. 4/2040/89

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Other
Ref. No.

THE DISTRICT COUNCIL OF DACORUM
IN THE COUNTY OF HERTFORD

To Mr and Mrs J Massey
Elmtree Farm
Gaddesden Row
Hemel Hempstead
Herts

Mrs P J Ward B A (Arch) RIBA
Chapel Farm
Whipsnade
Dunstable
Beds LU6 2LL

.. Conversion of Outbuilding to form Dwelling ..
.....
at Elmtree Farm .. Gaddesden Row ..
.....
Hemel Hempstead ..

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 5.12.89 and received with sufficient particulars on 11.12.89 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 five years commencing on the date of this notice.
- (2) The existing roof tiles of the outbuilding shall be reused for the development hereby permitted.
- (3) Reused roof tiles shall be used for the treatment of the section of extended roof as coloured yellow on Drawing No. 8903/6.
- (4) Any replacement roof tiles for the development hereby permitted shall be of the same colour, texture and type as the existing roof tiles.
- (5) The timber boarding and the timber garage doors of the development hereby permitted shall be of a dark stained finish to match the existing barn.
- (6) The doors of the development hereby permitted shall consist of timber and be of dark stained finish.
- (7) The cast iron or aluminium pipes, guttering and downpipes of the development hereby permitted shall be painted black.
- (8) The windows of the development hereby permitted shall be of :
 - (a) Timber construction
 - (b) Side Hung
 - (c) Stained

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)a) In the interests of the appearance of the building which makes a valuable contribution to the setting of Elmtree Farm which is a Grade II Listed Building.
b) In the interests of the appearance of the building which occupies a relatively prominent position within and makes a valuable contribution to the existing character of the Chilterns Area of Outstanding Natural Beauty.
- (3) As (2) a) and b) above and
c) For the avoidance of doubt.
- (4) - (8) as 3 above
- (9) As 3 above and
(d) In order to define the curtilage of the dwellinghouse hereby permitted.
- (10) (a) In the interests of retaining existing boundary vegetation which makes a valuable contribution to the setting of Elmtree Farmhouse (including the Farmhouse to which this permission relates) and the existing character of the Chilterns Area of Outstanding Natural Beauty.
(b) For the avoidance of doubt.
- (11) In the interests of the character of the Chilterns Area of Outstanding Natural Beauty.
- (12) To ensure that parking facilities for the existing dwelling and that hereby permitted are provided prior to the occupation of the converted outbuilding.
- (13) For the avoidance of doubt.
- (14) (a) In the interests of safeguarding the privacy of the existing dwellinghouse.
(b) In order to safeguard the future appearance of the application site in the interests of the setting of Elmtree Farmhouse and the converted outbuilding within the Chilterns Area of Outstanding Natural Beauty.

Dated 22nd day of February 1999

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 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 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.

- (9) The post and rail fencing shown on Drawing No. 8903/7 shall be installed prior to the occupation of the dwelling hereby permitted and it shall measure no greater than 3 ft 6 ins in height.
- (10) The existing boundary vegetation surrounding the area of land edged blue on Drawing No. 8903/7 (Scale 1:2500) and the hedge coloured yellow on Drawing No.8903/7 (Scale 1:200) shall be protected during the period of construction and such part or parts of the hedge as become damaged shall be replaced within the planting season following the completion of the development.
- (11) All planting, seeding or turfing comprised in the approved details of landscaping, shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development 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, and for the purposes of this condition a planting season shall be deemed to commence in any one year on 1 October and to end on 31 March in the next following year.
- (12) The barn shall not be occupied until the driveway and garages have been provided fully in accordance with the details shown on the approved drawings.
- (13) The parking of vehicles associated with the use of the development hereby permitted shall only be within the gravel driveway shown on Drawing No. 8903/7 (Scale 1:200).
- (14) Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 or any amendments thereto, there shall be no additional openings formed within the south-eastern elevation of the building and no building erected within the curtilage of the dwellinghouses edged red on Drawing No. 8903/7.

Dated Twenty-second day of February 1990

Signed..... 

Designation Chief Planning Officer