

TOWN AND COUNTRY PLANNING ACT 1990

DACORUM BOROUGH COUNCIL

Application Ref. No. 4/0628/95

Mr P C Biggs
Potten End Hill
Water End
Hemel Hempstead
HERTS

DEVELOPMENT ADDRESS AND DESCRIPTION
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G.E Biggs & Son Ltd, Potten End Hill, Water End

REMOVAL OF AGRICULTURAL OCCUPANCY RESTRICTION APPROVAL NO W/1921-64, TEMPORARY
USE OF EXISTING POULTRY BUILDINGS FOR LIGHT INDUSTRY, PHASED DEMOLITION OF
POULTRY BUILDINGS AND HARDSTANDING AND TREE PLANTING

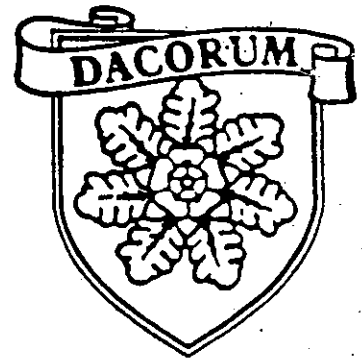
Your application for *the retention of development already carried out* dated
11.05.1995 and received on 16.05.1995 has been **GRANTED**, subject to any
conditions set out on the attached sheet(s).

Director of Planning.

Date of Decision: 21.11.1995

(encs. - Conditions and Notes).





CONDITIONS APPLICABLE
TO APPLICATION: 4/0628/95

Date of Decision: 21.11.1995

1. The development to which this permission relates shall be begun within a period of five years commencing on the date of this notice.

Reason: To comply with the provisions of s.91 of the Town and Country Planning Act 1990.

2. The phased demolition of buildings shall take place in accordance with the following timetable:

- (a) Those buildings coloured yellow on the approved 1:500 scale site layout plan shall be demolished and removed from the site prior to 1 January 1996.
- (b) Those buildings coloured green on the approved 1:500 scale site layout plan shall be demolished and removed from the site prior to 1 January 1997.
- (c) Those buildings coloured brown on the approved 1:500 scale site layout plan shall be demolished and removed from the site prior to 1 January 1998.

Reason: For the avoidance of doubt, and because you have so agreed.

3. All concrete bases to the poultry buildings and all other areas of hardstanding within the area outlined orange on the approved 1:500 scale layout plan shall be broken up and removed from the site prior to 1 January 1998.

Reason: For the avoidance of doubt, and because you have so agreed.

4. In the first planting season following completion of the works specified in Conditions 2 and 3 the area outlined in orange on the approved 1:500 scale site layout plan shall be planted with trees in accordance with a detailed landscaping scheme which shall first have been submitted to and approved by the local planning authority. 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.

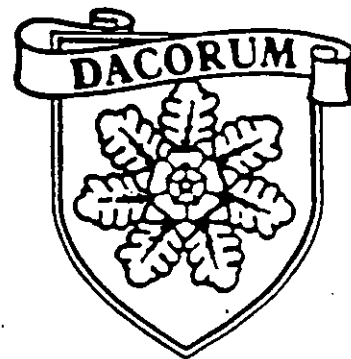
Reason: To maintain and enhance visual amenity.

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CONDITIONS APPLICABLE
TO APPLICATION: 4/0628/95

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5. The detailed landscaping scheme submitted pursuant to Condition 5 above shall include the following:

- (a) Details of measures to be undertaken to prepare the area for tree planting.
- (b) Details of the proposed species, stock size, and planting density of all new trees.
- (c) Details of measures for the protection and maintenance of newly planted trees including a maintenance schedule covering the first two years after planting.

Reason: To maintain and enhance visual amenity.

6. Any trees which within a period of five years from the date of planting 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 variations.

Reason: To maintain and enhance visual amenity.

7. For so long as they remain on the site, the existing poultry buildings numbered 1-6, 10 and 13-18 on the 1:500 scale site location plan shall not be used for any purpose other than one falling within Class B1 of the Town and Country Planning (Use Classes) Order 1987. The use of those buildings coloured green on the approved 1:500 site layout plan for business purposes shall cease prior to 1 January 1997 and the use of those buildings coloured brown on that plan for business purposes shall cease prior to 1 January 1998.

Reason: The use of the former poultry buildings for business purposes on a permanent basis is unacceptable in terms of the development plan policies for this area within the Metropolitan Green Belt. Nonetheless, very special circumstances exist which justify a temporary permission in order to secure the removal of the buildings and long term environmental improvement of the site.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 no change of use falling within Class B(b) of Part 3 of Schedule II to that Order shall take place without the prior written approval of the local planning authority.

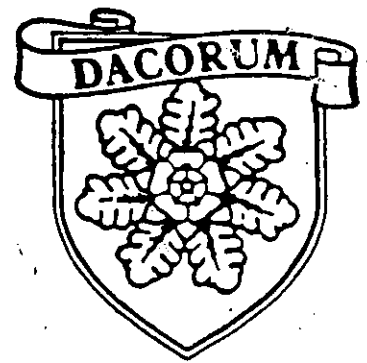
Reason: To enable the local planning authority to retain control over any change of use in the interest of the amenity of the area.

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CONDITIONS APPLICABLE
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9. The agricultural occupancy condition relating to the dwellinghouse coloured purple on the approved 1:500 scale site layout plan, Condition 1 of planning permission W/1921-64), shall remain in force until the works referred to in Conditions 2, 3 and 4 of this permission shall have been completed.

Reason: The dwelling was permitted on the basis of an agricultural justification related to the carrying on of an intensive poultry farming operation on the land. Removal of the poultry buildings removes the requirement for an agricultural worker's dwelling in respect of the holding itself, and the local planning authority is satisfied that the environmental improvements resulting from the removal of the buildings and replanting the area with trees are sufficient to justify removal of the occupancy restriction having regard to the particular circumstances of the site.

10. If the works referred to in Conditions 2, 3 and 4 of this permission are not completed within the time scales specified by those Conditions, nothing in this permission shall prejudice the right of the local planning authority to take enforcement action pursuant to the Enforcement Notice of 5 May 1992.

Reason: For the avoidance of doubt.

