

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972  
REFUSAL OF ESTABLISHED USE CERTIFICATE

Town Planning  
Ref. No. 4/1096/83EU

Other  
Ref. No.

THE DISTRICT COUNCIL OF ..... DACORUM .....  
IN THE COUNTY OF HERTFORD

To ..... A. Sear and Son Ltd ..... c/o Aitchisons .....  
..... Grove Garage ..... 63 Marlowes .....  
..... Grove Road ..... Hemel Hempstead .....  
..... Tring

(a) Insert location or  
address of land.

land at (a) ..... 93 Longfield Road, Tring

(b) Insert colour.

more particularly shown <sup>\*edged</sup> ~~coloured~~ (b) red, hatched blue and coloured green  
hatched  
on the plan attached hereto.

(c) Insert description of use.

Your application for a certificate that the use of the above land for (c) .....  
Open storage of scrap and building materials with .....  
ancillary retail sales .....

(d) Insert date of application  
for established use certificate.

was on (d) ..... 24th August 1983 ..... established within the meaning of  
paragraph (e) ..... (a) or (c) ..... of Section 94(1) of the Town and  
Country Planning Act, 1971, is HEREBY REFUSED.

(e) Insert "paragraph (a)",  
"paragraph (b)" or  
"paragraph (c)" of  
Section 94(1) as appropriate.

The reasons for the local planning authority's decision to refuse your application ~~xxx~~  
are set out overleaf.

*Chin Barnard*

Signed .....

Designation ..... CHIEF PLANNING OFFICER .....

Date ..... 26th April 1984 .....

\* Delete where inappropriate

STATEMENT

If the applicant is aggrieved by the decision of the local planning authority to refuse an established use certificate, or to refuse it in part, he may, by notice in writing, appeal to the Secretary of State for the Environment in accordance with Section 95(2) of the Town and Country Planning Act, 1971, within six months of receipt of this notice, or within such longer period as the Secretary of State may allow.

- (1) On the evidence available, it is considered that the open storage of scrap has never been a primary use of the site but has always been an ancillary activity of the scrap metal business as a whole. The site has therefore never acquired the benefit of general storage use, so that the use for which a certificate is sought was not subsisting at the time of the application.
- (2) It is considered that between the end of 1963 and the date of the application a material change of use occurred on the site. Before 1964, the scrap metal business was the primary use of the land, but at the time of the application the former ancillary use of dealing in building materials had intensified to the point where it has become the primary use of the site.
- (3) There is no evidence to show that the present primary activity of dealing in building materials was also a primary use of the site before the beginning of 1964.