



Department of the Environment

Room TX109

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JACORUM BOROUGH COUNCIL

CIVIC CENTRE

MARLOWES

HEMEL HEMPSTEAD

HERTS HP1 1HH

Your reference

4/1175/89E/SR/ASP

Our reference

AD/C89/A1910/4

Date

9 JAN 90

F.A.O LOUISE KIRKPATRICK

PLANNING DEPT, DEVELOPMENT CONTROL

Dear Madam

TOWN AND COUNTRY PLANNING ACT 1971 - SECTION 88

APPEAL BY

LAND

K GAMES

"NINE ACRES" WIGGINSTON

I enclose for your information a copy of a letter fax*
received on 8 January withdrawing the
above-mentioned appeal. The Secretary of State will
therefore take no further action in the matter. The
Inquiry scheduled for 16 January has been cancelled.
Yours faithfully Please notify interested parties.

to follow
by post.

R. MACHOLC

RECEIVED			
JAN 11 1990			
Received	11 JAN 1990		
Comments			

ENC
E26 (6/83)

HMSO Btl 016594/2

218782

DACORUM BOROUGH

Council

TOWN AND COUNTRY PLANNING ACT 1971
(as amended)

Enforcement Notice

Material Change of Use

(b) Land adjacent to "Nine Acres", Chesham Road, Wigginton, Hertfordshire

WHEREAS:

(1) It appears to the^(a) Dacorum Borough Council ("the Council"), being the local planning authority for the purposes of section 87 of the Town and Country Planning Act 1971 ("the Act") in this matter, that there has been a breach of planning control after the end of 1963^(c)

on the land or premises ("the land") described in Schedule 1 below.

(2) The breach of planning control which appears to have taken place consists in the carrying out of development by the making of the material change in the use of the land described in Schedule 2 below, without the grant of planning permission required for that development.

(3) The Council consider it expedient, having regard to the provisions of the development plan and to all other material considerations, to issue this enforcement notice, in exercise of their powers contained in the said section 87, for the reasons set out in [the annex to] this notice.^(d)

NOTICE IS HEREBY GIVEN that the Council require that the steps specified in Schedule 3 below be taken [in order to remedy the breach] ^(e)

within [the period of six [days] [months] from the date on which this notice takes effect] ^(f)

THIS NOTICE SHALL TAKE EFFECT, subject to the provisions of section 88 (10) of the Act, on 15 June 1989 ^(g)

Issued 15 May 1989

Council's address —

Civic Centre, Marlowes
Hemel Hempstead
Hertfordshire HP1 1HH
Ref: SB/2447/323

(Signed) Keith Hunt

(Designation) Borough Secretary
(The officer appointed for this purpose)

CONTINUED OVERLEAF — P.T.O.

NOTES TO THE LOCAL PLANNING AUTHORITY

- (a) Insert the name of the Council issuing the notice.
- (b) Insert the address or a description of the land to which the notice relates.
- (c) Where section 87(4)(c) of the Act applies insert "and within the period of 4 years before the date of issue of this notice."
- (d) See paragraph 29 of DOE Circular 38/81 (Welsh Office Circular 57/81).
- (e) Or, as the case may be, having regard to section 87(7)(a) and (b) of the Act. Where steps are required to be taken for more than one of the purposes provided for in section 87, the purpose for which each step is required should be specified in Schedule 3. Steps may be required as alternatives.
- (f) If a single period is to be specified, by which all the required steps must be taken, insert it here. But if a series of steps is required to be taken, with a different compliance period for each step, the appropriate period should be clearly stated against each step (in columns if more suitable) in Schedule 3.
- (g) The date selected must be not less than 28 clear days after all the copies of the notice will have been served (see section 87(5) of the Act).

SCHEDULE 1

Land or premises to which this notice relates

Address or description

Land adjacent to "Nine Acres", Chesham Road, Wigginton, Hertfordshire

shown edged [red] [] on the attached plan.^(h)

SCHEDULE 2

Alleged breach of planning control

(description of the material change of use alleged to have been made) (j)

A change of use from agricultural use to use for the repairing of and storage of plant.

SCHEDULE 3

Steps required to be taken.^(k)

(i)

Cease using the land or premises for the repairing of and storage of plant.

NOTES TO THE LOCAL PLANNING AUTHORITY

(h) See paragraph 31 of DOE Circular 38/81 (Welsh Office Circular 57/81).

(j) If the new use is a mixed use, include all the uses comprising that mixed use.

(k) Specify the actual steps to be taken with, if appropriate, the compliance period for each step. The requirements should be clear and precise. See also notes (e) and (f) overleaf.

Annexe to Enforcement Notice dated:

This information is given in pursuance of the Town and Country Planning (Enforcement Notices and Appeals) Regulations 1981 and Circular 38/81.

The Council, as the Local Planning Authority, consider it expedient to serve this Notice upon you for the following reasons.

1. The site is within the designated Metropolitan Green Belt as shown in the Approved Hertfordshire County Structure Plan 1986 Review and adopted Dacorum District Plan. Within such areas permission will only be given for use of land, the construction of new buildings, changes of use of existing buildings for agriculture or other essential purposes appropriate to a rural area or small scale facilities for participatory sport or recreation. No such need has been proven and the development is unacceptable in the terms of this policy.
2. Policy 48(2) of the adopted Dacorum District Plan states that planning permission for new industrial buildings, extensions to existing industrial buildings or changes of use of existing buildings to industry will normally only be granted where the proposal is located either within an existing industrial area indicated on the "Proposals Map" of the District Plan or in an area shown for industrial development on the "Proposals Map". The site is not located within such areas and, by reason of the nature of the use and its impact upon the surroundings including its detrimental effect upon the amenities of nearby residents, it is considered that the use cannot be accepted as an exception to this policy. Neither could conditions be imposed which would overcome the adverse effects upon the surroundings arising from the development.



IMPORTANT:— THIS COMMUNICATION AFFECTS YOUR PROPERTY

DACORUM BOROUGH

Council

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(as amended)

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(Designation) Borough Secretary
(The officer appointed for this purpose)

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