

Town Planning

Ref. No. 4/1217/88

Other

Ref. No.

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

THE DISTRICT COUNCIL OF DACORUM

IN THE COUNTY OF HERTFORD

To Mr P Dumphy John Paul Caneparo and Associates
 77 Watford Road Kebbell House
 Kings Langley Carpenders Park
 Herts Watford

..... Detached double garage

.....

at ... 77 Watford Road, Kings Langley

.....

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 21 June 1988 and received with sufficient particulars on 24 June 1988 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) The materials to be used externally shall match both in colour and texture those on the existing building of which this development shall form a part.

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) To ensure satisfactory appearance.

Dated.....12th.....day of.....August.....19 88

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 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.

MEMO	TO: ALAN MARKHAM	DEPT. PLANNING	REF.	DATE 28/2/92
	FROM: NOËLE POPE	DEPT. DLA	2447/382	

Re: Enforcement: 77 Watford Road,
Kings Langley, Hemel Hempstead
Please find attached hereto copy of
completed enforcement notice
issued today and accordingly registered
as a local land charge. SIGNED

Reply	REF.	REPLY EXPECTED	YES	NO	TO BE FILED	YES	NO	DATE
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It was served on Mr P. Dunphy
Mrs W. Dunphy and Abbey National
Plc as mortgagee.

Abbey House OX13 6000 Milton Keynes
201 Grafton Gate East MK9 1AN

FM 42

SIGNED

Noële

SENDER: FORWARD WHITE AND YELLOW COPY

RECEIVER: KEEP WHITE AND RETURN YELLOW COPY

PLANNING DEPARTMENT
DACORUM BOROUGH COUNCIL

Ref.	DoP	ICPM	C.	DC	DOF	WOM	Ask.	File
				✓ 13				

2 MAR 1992

Received

Comments

John
pl. note + file

**IMPORTANT - THIS COMMUNICATION AFFECTS
YOUR PROPERTY**

**TOWN AND COUNTRY PLANNING ACT 1990 (as amended by the Planning
and Compensation Act 1991)**

**ENFORCEMENT NOTICE
(OPERATIONAL DEVELOPMENT)**

ISSUED BY: DACORUM BOROUGH COUNCIL

1. **THIS IS A FORMAL NOTICE** which is issued by the Council because it appears to them that there has been a breach of planning control, under section 171A(1)(a) of the above Act, at the land described below. They consider that it is expedient to issue this notice, having regard to the provisions of the development plan and to other material planning considerations.

2. **THE LAND AFFECTED**

Land at 77 Watford Road, Kings Langley, Hemel Hempstead, Hertfordshire shown edged red on the attached plan.

3. **THE BREACH OF PLANNING CONTROL ALLEGED**

The erection of a garage in the approximate position marked green on the attached plan, being sited approximately 3000 mm to the west of the position for which planning permission was granted under reference 4/1217/88

4. **REASONS FOR ISSUING THIS NOTICE**

It appears to the Council that the above breach of planning control has occurred within the last four years. The garage, as built, is situated some 3000 mm closer to the highway in Watford Road than the garage for which planning permission has been granted. This has resulted

in the removal of the hedge on the frontage of the property and the combination of these factors has caused the garage to be unacceptably prominent in the street scene, at the trunk road entrance to the village. It is therefore harmful to the visual appearance of the area.

The Dacorum Borough Local Plan Deposit Draft (1991) considers, in Policy 8, the quality of development that will be acceptable. Policy 8 requires that each development proposal will be appropriate to its surroundings in terms of layout, site coverage and landscaping on the site itself, in relation to adjoining property and in longer views. The development as constructed fails to comply with the requirements of this Policy by reason of the objections set out in the preceding paragraph.

The Council does not consider that planning permission should be granted because planning conditions could not overcome the objection to the development.

5. WHAT YOU ARE REQUIRED TO DO

- (i) Demolish the westernmost 3000 mm of the garage, remove the foundations, floor and all materials and
- (ii) Construct a new gable wall at the western end of the remaining structure to be constructed of facing bricks and mortar of the same type, texture and colour as those of the remaining structure. (You may extend the eastern end of the garage so that the overall length of the garage does not exceed 6965 mm to provide a garage of the same length as that permitted).

Time for compliance: 3 months after this notice takes effect.

6. **WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on 13th April 1992, unless an appeal is made against it beforehand.

Dated: 28th February 1992

Signed:

K. M. Pugh

Director of Law and Administration

on behalf of:

Dacorum Borough Council
Civic Centre
Marlowes
Hemel Hempstead
Herts HP1 1HH

ANNEX

YOUR RIGHT OF APPEAL

You can appeal against this notice, but any appeal must be received, or posted in time to be received, by the Secretary of State before 13th April 1992. The enclosed booklet "Enforcement Appeals - A Guide to Procedure" sets out your rights. Read it carefully. You may use the enclosed appeal forms. One is for you to send to the Secretary of State if you decide to appeal. The other is for you to keep as a duplicate for your own records. You should also send the Secretary of State the spare copy of this enforcement notice which is enclosed.

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this enforcement notice, it will take effect on 13th April 1992 and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period specified in the notice. Failure to comply with an enforcement notice which has taken effect can result in prosecution and/or remedial action by the Council. On conviction, a fine of up to £20,000 may be imposed by the Magistrates' Court or an unlimited fine by the Crown Court.