



TOWN AND COUNTRY PLANNING ACT 1990

DACORUM BOROUGH COUNCIL

Application Ref. No. 4/1412/90

W Colburn "Comusbury
High Street Green
Hemel Hempstead
Herts

DEVELOPMENT ADDRESS AND DESCRIPTION
=====

Comusbury High Street Green, Hemel Hempstead, Herts

SUBMISSION OF DETAILS OF EXTERNAL MATERIALS PURSUANT TO P/P 4/0662/90 (2 STOREY
SIDE S/S FRONT & REAR EXTNS

Your application for *the approval of details or reserved matters* dated 28.09.1990
and received on 05.10.1990 has been **GRANTED**, subject to any conditions set out
on the attached sheet(s).

Director of Planning.

Date of Decision: 06.11.1990

(encs. - Conditions and Notes).



CONDITIONS APPLICABLE
TO APPLICATION: 4/1412/90

Date of Decision: 06.11.1990

DETAILS OF MATERIALS:

Red sand faced brick and tiles to match existing.

MEMORANDUM

From: DIRECTOR OF LAW
AND ADMINISTRATION

To: John Smill / Alan Markham
Planning

My Ref: 2447/398

Contact: Roy

Date: 18/6/92

Your Ref:

COMUSBERREY E. N

Please find attached a copy for
your file

Issue date 22/6/92

Comp. 3/11/92

Roy

PLANNING DEPARTMENT DACORUM BOROUGH COUNCIL						
Ref.	ES	PLAN	DR	13	DO	FILE
Received	19 JUN 1992					
Comments						

TECHNICAL SERVICES	
INDEXED BY	DATE
PAT	18 JUL 1992
DFALT	DATE
FILE	No.

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 Comusbury High Street Green Hemel Hempstead
Hertfordshire shown edged red on the attached plan.

3. THE BREACH OF PLANNING CONTROL ALLEGED

Without planning permission, the raising of the rear garden over its total length to a depth of 1.75 metres by depositing materials and earth.

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 increase in the ground level of the garden results in overlooking and loss of privacy to the occupants of the adjacent houses.

The Council do not consider that the development could be made acceptable by the imposition of conditions on a planning permission. If fences were erected to counter the effect of the raised garden and to prevent any overlooking then the fences would need to be of such height as to be overbearing and intrusive in themselves.

5. WHAT YOU ARE REQUIRED TO DO

- (i) Remove the materials and earth which have been deposited in the rear garden.
- (ii) Regrade the rear garden to its former level.

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

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 3rd August 1992 unless an appeal is made against it beforehand.

Dated: 22nd June 1992

Signed: Keith M. Pugsley
Director of Law and Administration

on behalf of: Dacorum Borough Council
Civic Centre
Marlowes
Hemel Hempstead
Herts HP1 1HH

YOUR RIGHT OF APPEAL

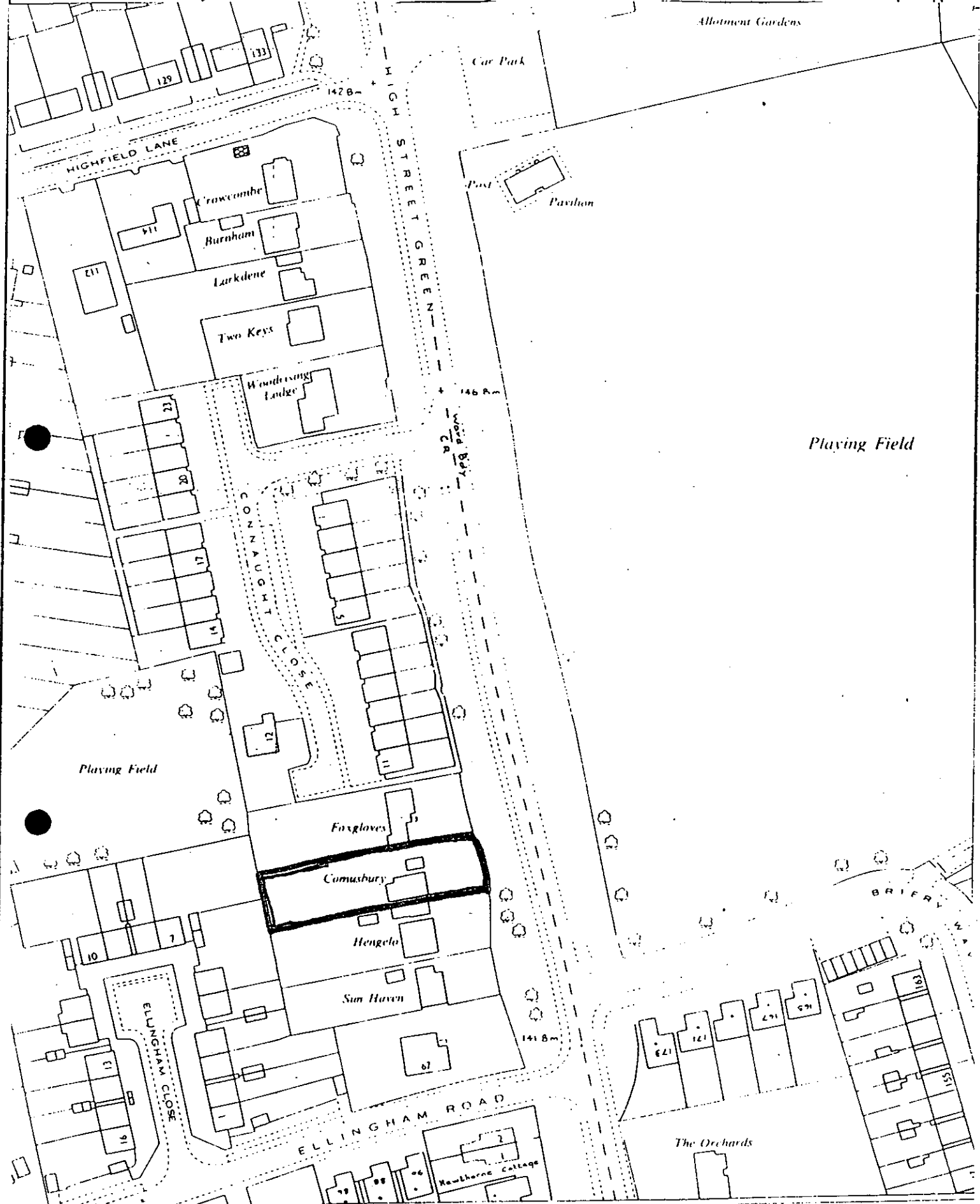
You can appeal against this notice, but any appeal must be received, or posted in time to be received, by the Secretary of State before *3rd August 1992*. The enclosed booklet "Enforcement Appeals - A Guide to Procedure" sets out your rights. Read it carefully. You may use the enclosed appeal forms. 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 *3rd August 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(s) 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.

16.6/DLA/L.320/RH/DSP

COMUSBERRY HIGH STREET GREEN, HEMEL HEMPSTEAD.



PLAN REFERRED TO IN ENFORCEMENT NOTICE DATED	
SCALE:	DACORUM BOROUGH COUNCIL,
APPLICATION No.	CIVIC CENTRE, MARLOWES,
	HEMEL HEMPSTEAD.

Based on the O.S. Map with the sanction of the Controller of H.M. Stationary Office

Dr. H. returned to DLA 15/6/92

ENFORCEMENT NOTICE

(OPERATIONAL DEVELOPMENT)

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Land at Combsbury High Street Green House Hempstead shown
edged red on the attached plan.

Without planning permission, ~~it is~~^{they} ~~causing the~~ of the rear garden area to total length to a depth of 1.75 metres by depositing materials and earth.

It appears to the Council that the above breach of planning control has occurred within the last four years.

870.

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The increase in the ground level of the garden ~~and~~ results in overlooking and loss of privacy to the occupants of the adjacent houses.

The Council do not consider that the development could be made acceptable by the imposition of conditions on a planning permission. If fences were erected to prevent the overlooking they would need to be of such height as to be overbearing and intrusive in themselves.

5. WHAT YOU ARE REQUIRED TO DO

- (i) ~~Remove the materials and everything else~~ ^{which have been deposited}
(ii) ~~Re-grade the garden to the former level.~~ ^{Re-grade the rear garden to the former level.}

Time for compliance: ~~seven~~ after this notice takes effect. ^{3 months}

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on (specific date, not less than 28 clear days after date of service), unless an appeal is made against it beforehand.

Dated:

Signed:

Director of Law and Administration

on behalf of:

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

ANNEX

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DLA/L.320/MAS.1

