

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972



DACORUM BOROUGH COUNCIL

DD

To Roy Stephen Nash
43 The Limit
Covert Road
Northchurch
Berkhamsted
Herts

G E Biggs & Son Ltd
Potten End Hill
Water End
Hemel Hempstead
Herts

..... Change of Use from Storage Building to Car

..... Repairs

at Unit A; G E Biggs & Son Ltd; Potten End Hill;

..... Water End; Hemel Hempstead

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 refuse the development proposed by you in your application dated 14.8.89 and received with sufficient particulars on 18.9.89 and shown on the plan(s) accompanying such application..

The reasons for the Council's decision to refuse permission for the development are:—

- (1) The site is within the Metropolitan Green Belt on the adopted Dacorum District Plan wherein permission will only be given for use of land, the construction of new buildings, or changes of use of existing buildings for agricultural or other essential purposes appropriate to a rural area or smallscale facilities for participatory sport or recreation. No such need has been proven and the proposed development is unacceptable in the terms of this policy.
- (2) The buildings have no architectural or historic merit nor are they of a suitable external appearance or construction to justify in either case retention and conversion to alternative uses.

Dated Thirtieth day of November 19 89

Signed.....

Chief Planning Officer

SEE NOTES OVERLEAF

P/D. 15

NOTE

1. 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 s.36 of the Town and Country Planning Act 1971, within six months of receipt of this notice. (Appeals must be made on a form obtainable from the Secretary of State for the Environment, Tollgate House, Houlton Street, Bristol, BS2 9DJ). 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.
2. If permission to develop land is refused, or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment 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 Borough Council in which the land is situated, 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.
3. 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 s.169 of the Town and Country Planning Act 1971.

**IMPORTANT - THIS COMMUNICATION AFFECTS
YOUR PROPERTY**

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

**ENFORCEMENT NOTICE
(MATERIAL CHANGE OF USE)**

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 Potten End Hill, Water End, Hemel Hempstead
Hertfordshire shown edged red on the attached plan each
individual unit being marked with a number and/or letter.

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

Without planning permission, change of use of from:-

Unit A	agriculture to use for the storage of dairy produce
Unit B	agriculture to use for the storage of fencing and ancillary materials
Unit C	agriculture to use for vehicle repairs
Unit E	agriculture to use for the storage of furniture

Unit 1 & 2	agriculture to use for the storage of nuts, bolts and fasteners
Unit 3	agriculture to use as a carpentry workshop
Unit 5	agriculture to use as a photographic studio
Unit 6 & F	agriculture to use for the manufacture and storage of high fidelity speaker stands
Unit 9	agriculture to use for the manufacture of signs
Unit 15	agriculture to use for the manufacture and repair of guitars
Unit 16	agriculture to use as an engineering workshop and storage facilities
Unit 17/18	agriculture to use for the storage of shop fittings
Unit 14	agriculture to use for the manufacture of handbags

4. REASONS FOR ISSUING THIS NOTICE

It appears to the Council that the above breach of planning control has occurred since the end of 1963

1. The site is located within the Green Belt as shown in the development plans for the area, ie diagrammatically in the County Structure Plan 1986 Review (1988) and in detail in the "Proposals Maps" of the Dacorum District Plan and the Dacorum Borough Local Plan Deposit Draft. In addition, the site abuts the boundary of the Designated Chilterns Area of Outstanding Natural Beauty.

2. Within the Green Belt, there is a general presumption against inappropriate development as expressed in the development plans and in Department of Environment Planning Policy Guidance Note no 2 (Green Belt) and approval should not be given, except in very special circumstances, for all but a narrow range of development proposals primarily connected with agriculture, forestry and other uses appropriate to a rural area. The uses are contrary to the aims of this policy by reason of being inappropriate and harmful to the character of this area and to the overall aims of the policy to restrict non-essential development in the Green Belt.
3. By reason of their design, construction and appearance, the buildings are not of a type or quality identified in paragraph 16 of PPG 2 as being suitable for re-use for purposes other than agriculture.
4. By virtue of Section 11 of the Countryside Act 1968, there is a general duty to conserve the natural beauty and amenity of the countryside. The use of the site for industrial and storage purposes the subject of this Notice in an area of generally open countryside on the edge of a village within the Green Belt and abutting the Area of Outstanding Natural Beauty:
 - (a) consolidates the ribbon of development extending eastwards from the village into the open countryside beyond;
 - (b) introduces a busy and commercial atmosphere at the site and surrounding area which would change the character of this site and its rural setting; and

- (c) intrudes by way of increased activity of parking, storage activities and comings-and-goings to and from the site associated with the uses and consequent effect of noise and disturbance upon the tranquillity of the locality.

5. WHAT YOU ARE REQUIRED TO DO

- (i) Stop using any of the above units for manufacturing and/or storage
- (ii) Remove from the land all machinery, installation and ancillary equipment and items stored in connection with the uses set out in paragraph 3.

Time for compliance: 2 years after this Notice takes effect.

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 16th June 1992 unless an appeal is made against it beforehand.

Dated: 5th May 1992

Signed:

K. M. Pugh

on behalf of:

Director of Law and Administration
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 16th June 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 16th June 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.

4.92/ENF.N/POT.END/RH/DD/BS.5

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APPLICATION No.

DACORUM BOROUGH COUNCIL,
CIVIC CENTRE, MARLOWES,
HEMEL HEMPSTEAD.

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