

## TOWN &amp; COUNTRY PLANNING ACTS, 1971 and 1972



## DACORUM BOROUGH COUNCIL

To I. Mash  
6 Arden Close  
Bovingdon  
Herts

..... C.O.U. Agricultural Land to Garden .....
.....
at Rear 6 Arden Close, Bovingdon. ....
.....

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 ..... and received with sufficient particulars on ..... 20.9.1989 ..... and shown on the plan(s) accompanying such application..

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



The site is within the Metropolitan Green Belt on the Dacorum District Plan wherein permission will only be given for use of land, the construction of new buildings or changes of use 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 proposed development is unacceptable in the terms of this policy and may if permitted lead to further similar developments on the edge of the existing built-up area.

Dated ..... 19th ..... day of ..... October ..... 1989

Signed..... *Wm. B. Smith* .....

SEE NOTES OVERLEAF

P/D. 15

Chief Planning Officer

## 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. 8

IMPORTANT: THIS COMMUNICATION AFFECTS YOUR PROPERTY

DACORUM BOROUGH COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

## ENFORCEMENT NOTICE

Material Change of Use

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LAND TO THE REAR OF 6 ARDEN CLOSE BOVINGDON HERTS

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### W H E R E A S:

- (1) It appears to the Dacorum Borough Council ("the Council") being the local planning authority for the purposes of s.172 of the Town and Country Planning Act 1990 ("the Act") in this matter, that there has been a breach of planning control after the end of 1963 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 considers 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 its powers contained in the said section 172, for the reasons set out in the Annex to this Notice.

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NOTICE IS HEREBY GIVEN that the Council requires that the steps specified in Schedule 3 below be taken in order to remedy the breach within the period of six months from the date on which this Notice takes effect

THIS NOTICE SHALL TAKE EFFECT, subject to the provisions of s.175(4) of the Act, on 11th February 1992

SCHEDULE 1

***LAND OR PREMISES TO WHICH THIS NOTICE RELATES:***

Land at 6 Arden Close Bovingdon Hertfordshire shown edged red on the attached plan

SCHEDULE 2

***ALLEGED BREACH OF PLANNING CONTROL:***

The material change in the use of the land from agriculture to use as a residential garden

SCHEDULE 3

***STEPS REQUIRED TO BE TAKEN:***

1. The removal of all fences from the land
2. The removal of all sheds and other domestic paraphernalia from the land

3. The cessation of the use of the land as residential garden

Issued

31st December 1991

Council's address:

Civic Centre  
Marlowes  
Hemel Hempstead  
Herts HP1 1HH

(Signed)

K. M. Puyley

(Designation) Director of Law and Administration  
(The Officer appointed for this purpose)

12.91/EN/5.ARDEN/RH/PEC/BS.5

## THE ANNEX

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

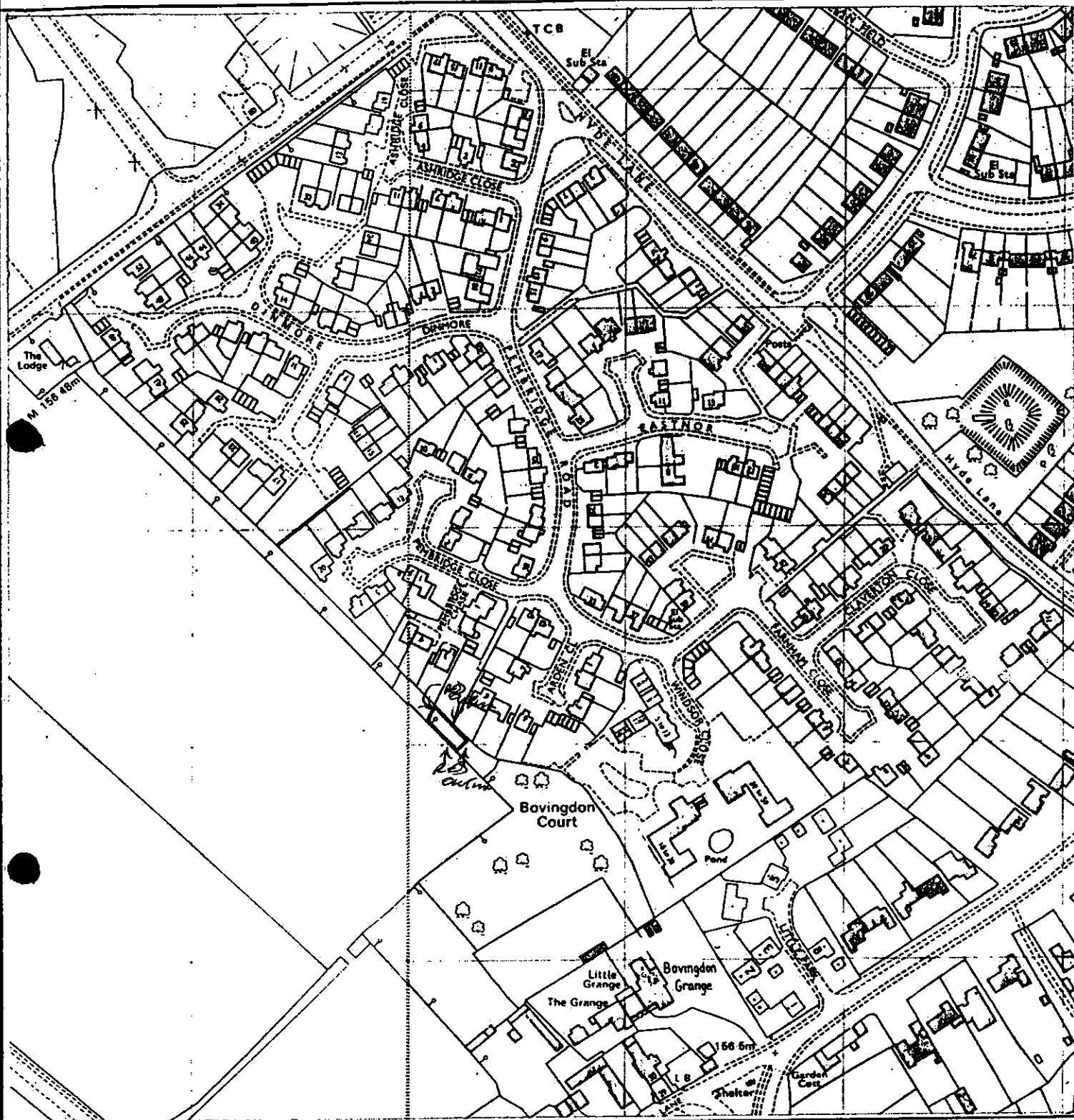
The Council, as the local planning authority, considers it expedient to serve this Notice upon you for the following reasons:

The land is situated in the Metropolitan Green Belt as defined in the adopted Dacorum District Plan and the Dacorum Borough Local Plan Deposit Draft. Within the Metropolitan Green Belt permission for changes of use are granted only for agriculture or for small scale facilities for sport or recreation. The use of the land as garden land does not fall within these categories and is therefore contrary to the policies for the protection of the Green Belt.

"Green Belts", Planning Policy Guidance 2 sets out the government's policy for the Green Belts and identifies five purposes for the Green Belts. The second of these purposes is to safeguard surrounding countryside from encroachment. The development, subject of this enforcement notice, is contrary to this objective in that it constitutes the encroachment of residential use on to agricultural land, and in so doing it detracts from the character and appearance of the countryside

LOCATION

6 ARDEN CLOSE, BOVINGDON.



Plan referred to in Enforcement Notice dated .....

C.G.B. Barnard  
Chief Planning Officer  
Dacorum Borough Council  
Hemel Hempstead

Scale 1:2500

Plan no. ....