



PLANNING

Civic Centre Marlowes
Hemel Hempstead
Herts HP1 1HH

MR J MASTERS
BINGHAMS PARK FARM
POTTEN END HILL WATER END
HEMEL HEMPSTEAD
HERTS

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION - 4/01642/97/ADV

BINGHAMS PARK FARM, POTTEN END HILL, WATER END, HEMEL
HEMPSTEAD, HERTS, HP1 3BN
2NO DOOR SIGNS AND 3NO A BOARDS - RETROSPECTIVE

Your application for advertisement consent dated 01 October 1997 and received on
24 October 1997 has been **GRANTED**, subject to any conditions set out overleaf.

Director of Planning

Date of Decision: 15 January 1998

CONDITIONS APPLICABLE TO APPLICATION: 4/01642/97/ADV

Date of Decision: 15 January 1998

1. This consent is granted for a period of five years commencing on the date of this notice.

Reason: To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations 1992.

2. Any advertisements displayed, and any site used for the display of advertisements shall be maintained in a clean and tidy condition to the reasonable satisfaction of the local planning authority.

Reason: To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations 1992.

3. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

Reason: To comply with the provisions of the Town Planning (Control of Advertisements) Regulations 1992.

4. Where an advertisement is required under the Town and Country Planning (Control of Advertisements) Regulations 1992 to be removed, the removal shall be carried out to the reasonable satisfaction of the local planning authority.

Reason: To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations 1992.

5. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason: To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations 1992.

6. No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway (including any coastal waters) or aerodrome (civil or military).

Reason: To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations 1992.



The Planning Inspectorate

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Mr J C A Proctor

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HP4 1DU

PLANNING DEPARTMENT					Your Reference:	
DACORUM BOROUGH COUNCIL					292	
Ref.					Council Reference:	
Doc		D.P.	D.C.	R.C.	4/01643/97/ENA	
					Our Reference:	
					T/APP/C/97/A1910/649001	
Received 28 APR 1998					Date: 27 APR 1998	
Comments						

Dear Sir

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 174 AND SCHEDULE 6
PLANNING AND COMPENSATION ACT 1991

APPEAL BY MR C D WITT

LAND AND BUILDINGS AT 169 HIGH STREET, BERKHAMSTED, HERTS

1. I have been appointed by the Secretary of State for the Environment, Transport and the Regions to determine your client's appeal against an enforcement notice issued by the Dacorum Borough Council concerning the above mentioned land and buildings. I have considered the written representations made by you and the Council. I inspected the site on 21 April 1998.

THE NOTICE

2. (1) The notice was issued on 16 September 1997.
- (2) The breach of planning control as alleged in the notice is the erection of two dormer windows in the roof of a single storey extension.
- (3) The requirements of the notice are -
- (i) Permanently remove the two dormer window projections;
 - (ii) Reinstall the roof in materials to match the existing roof;
 - (iii) Permanently remove from the site all materials arising from the demolition of the two dormer window projections.
- (4) The period for compliance with these requirements is 3 months.



GROUNDS OF APPEAL

3. Your client's appeal was made on the grounds set out in section 174(2)(a) and (b) of the 1990 Act as amended by the Planning and Compensation Act 1991. However, as the prescribed fees under the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 1989-93 have not been paid to the Secretary of State and the Local Planning Authority within the period specified, the appeal is proceeding on ground (b) only. For the same reason the deemed application for planning permission under section 177(5) does not fall to be considered.

THE GROUND (B) APPEAL

4. You say that only one of the projections from the roof includes a window. The other is blind, in order to prevent overlooking to the neighbouring property. I saw on my inspection that this is indeed so. Nevertheless, it is my duty to put the notice into proper order, if I can without causing injustice to your client or the Council. It seems to me that it is clear to your client that the development referred to in the notice is the construction of the dormer window and the dormer type projection from the roof slopes; and that the fact that both are described as dormer windows does not nullify the notice. I consider that this matter is capable of correction by me, without causing injustice to any party. I therefore propose to uphold the notice as corrected.

5. I have considered all the other matters raised in the written representations; however, I do not find any of them, either on their own or cumulatively, to be of sufficient weight to change the balance of my conclusions.

FORMAL DECISION

6. For the above reasons, and in exercise of the powers transferred to me, I direct that the enforcement notice be corrected by the deletion, in paragraph 3 line 2 of the notice, of the words "two dormer windows" and the substitution therefor of "a dormer window and a dormer-type projection"; and by the deletion, in Paragraph 5 lines 1 and 7 of the notice, of the words "two dormer window" and the substitution therefor of "dormer window and dormer-type". Subject thereto I dismiss your client's appeal, and uphold the notice as corrected.

RIGHTS OF APPEAL AGAINST DECISION

7. This letter is issued as the determination of the appeal before me. Particulars of the rights of appeal against my decision to the High Court are enclosed for those concerned.

Yours faithfully



P J Roberts FRICS
Inspector