

Town Planning
Ref. No. 4/1774/86

Other
Ref. No.

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

THE DISTRICT COUNCIL OFDACORUM.....
IN THE COUNTY OF HERTFORD

To Mr D Sweetingham
28 Manorville Road
Hemel Hempstead

Mr H Draycott
8 Bury Close
Harlington
Beds.

.....Two storey rear extension.....
.....
at.....28 Manorville Road.....
.....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 permit the development proposed by you in your application dated13.12.86..... and received with sufficient particulars on.....23.12.86..... 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 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 a satisfactory appearance.

Dated.....12th.....day of.....February.....1987.....

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.

IMPORTANT: THIS COMMUNICATION AFFECTS YOUR PROPERTY

DACORUM BOROUGH COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

ENFORCEMENT NOTICE

Material Change of Use

28 MANORVILLE ROAD HEMEL HEMPSTEAD HERTFORDSHIRE

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.

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 19 .

SCHEDULE 1

LAND OR PREMISE TO WHICH THIS NOTICE RELATES:

28 Manorville Road Hemel Hempstead Hertfordshire shown edged
red on the attached plan

SCHEDULE 2

ALLEGED BREACH OF PLANNING CONTROL:

X Change of use of land described in Schedule 1 from residential
use to mixed use for residential purposes and for the operation
of a vehicle accessory fitting business ^{involving} ~~including~~ the running of
an office, the storage of vehicle accessories and the conduct of
an accessory fitting service.

SCHEDULE 3

STEPS REQUIRED TO BE TAKEN:

X of X To cease using the land referred to in Schedule 1 ^{for the operation} ~~for the operation~~
of a vehicle accessory fitting business ^{involving} ~~including~~ the
running of an office, the storage of vehicles accessories and
the conduct of ^{an} ~~a~~ vehicle accessory fitting service.

Issued

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Council's address:

Civic Centre
Marlowes
Hemel Hempstead
Herts HP1 1HH

(Signed) _____

(Designation) Director of Law and
Administration

(The Officer appointed for this
purpose)

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:

"Policy 53 of the Adopted Dacorum District Plan (1984) seeks to concentrate office development in the designated "commercial areas" of the town centres of Hemel Hempstead, Berkhamsted and Tring as defined in the "Proposals Map". Policy 32 of the Dacorum Borough Local Plan Deposited Draft (1991) seeks to encourage the provision of business units of less than 235 sq m in floor area in designated "general employment areas" and town and local centres as defined on the "Proposals Map". The site the subject of the enforcement notice is outside the relevant designated areas and, in the absence of any known special circumstances which might justify an exception to these policies, the alleged unauthorised ^{mixed} use is contrary to the terms of these policies. X

Policy 18 of the Adopted Dacorum District Plan (1984) and Policy 8 of the Dacorum Borough Local Plan Deposited Draft (1991) seek to ensure that the environment of residential areas should not be harmed by new developments by way of visual intrusion, noise, disturbance, pollution or loss of privacy. The said use the subject of the enforcement notice conflicts with the aims of these policies by reason of :- X

- (a) noise and disturbance generated by increased coming-and-going^{to and from the site} in association with the alleged mixed use; X
- (b) the intrusiveness created by and consequent detriment to the general appearance of the locality caused by the parking of commercial vehicles associated with the alleged unauthorised mixed use on the site and on the highway in the immediate vicinity of the site.

Acceptance of such a use in one instance is likely to lead to further similar uses being developed ~~and~~ which cumulatively undermine the objectives of the policies and the overall effect would be harmful to the character of the residential area which the policies seek to protect. Bearing in mind the close proximity of adjacent dwellings, the increased activity arising from the said use and the adverse appearance of the site and surroundings as a result of the parking of commercial vehicles associated with the said use, are detrimental to the amenities of the locality especially those enjoyed by the ^{occupants} ~~occupiers~~ of those dwellings. The local planning authority considers, therefore, that for those reasons the guidance contained in Planning Policy Guidance Note No. 4 in respect of small businesses working from home, is outweighed".

PHOTOGRAPHS

WITH J. SMITH

2. 9. 92