

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972



DACORUM BOROUGH COUNCIL

DD

To Mr R Bowler
Shenington
Shantock Poultry Farm
Bovingdon
Herts

G A Property Services
Chells Manor
Stevenage
Herts SG2 7AA

... Change of Use of Agricultural Buildings to Light
... Industrial
at Shantock Poultry Farm, Venus Hill, 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 ... 14.11.89 ... and received with sufficient particulars on ... 16.11.89 ... 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, changes of use of existing buildings for agricultural 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.
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.
3. The proposed development would have a seriously detrimental effect on the amenities and privacy at present enjoyed by occupants of adjacent dwellings.
4. There is inadequate provision for vehicle parking within the site to meet standards adopted by the local planning authority.

Dated ... Eleventh ... day of ... January ... 1990

Signed.....

Wm Barnard

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 the date 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 Shantock Poultry Farm Venus Hill Bovington
Hertfordshire shown edged red on the attached plan.

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

Without planning permission, the change of use of the buildings coloured green to industrial use namely the manufacture of replacement vehicle parts and the storage on the site edged red of ancillary equipment.

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.

The site is located within the designated Metropolitan Green Belt as shown in the development plans for the area, ie diagrammatically in the Approved Hertfordshire

County Structure Plan 1986 Review (1988) and in detail in the Proposals Map of the adopted Dacorum District Plan (1984) and the Proposals Map of the Dacorum Borough Local Plan Deposit Draft.

Within the Green Belt, there is a general presumption against inappropriate development as expressed in the development plans and in Department of the Environment Planning Policy Guidance Note 2 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 the rural area. Industrial uses do not fall within any of the specified uses. Green Belt policy is aimed at the protection of rural areas from development which does not need to be located there. In the absence of evidence demonstrating any exceptional or particular need for the use the subject of this Notice in the locality, the use is contrary to the aims of policy to restrict non-essential development in the rural area.

The development plans and Planning Policy Guidance Note 7 indicate that proposals for the conversion of existing buildings should generally be acceptable provided their form, bulk and general design are in keeping with their surroundings. The poultry sheds have no architectural or historic merit nor are they of suitable external appearance or construction to justify their retention and conversion to alternative uses.

Furthermore, the site is located outside the designated 'industrial' areas shown in the Proposals Map of the Adopted Dacorum District Plan (1984) or the Proposals Map of the Draft Dacorum Borough Local Plan (Deposited). The use of the buildings for industrial purposes is therefore contrary to the aims of the development plans which seek to concentrate industrial uses in designated employment areas.

Although the use as it stands may not cause undue disturbance to adjoining properties, or the area as a whole, were the use to expand it is likely that it would have a seriously detrimental effect on the amenities and privacy at present enjoyed by occupants of adjoining dwellings by way of increased activity on the site, comings and goings to and from the site and consequent effects of noise and disturbance upon the tranquillity of the locality.

5. WHAT YOU ARE REQUIRED TO DO

- (i) Remove all workshop equipment, compressors, paint spraying equipment, paints and resins, moulds and office equipment from the land; and
- (ii) Stop using the land for industrial purposes and associated storage.

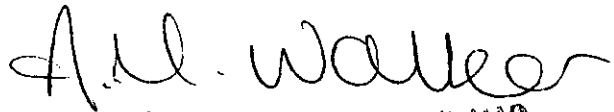
Time for compliance: 12 months after this notice takes effect.

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 5th May 1992
unless an appeal is made against it beforehand.

Dated: 24th March 1992

Signed:



ASSISTANT DIRECTOR (LAW)

for Director of Law and Administration

on behalf of:

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

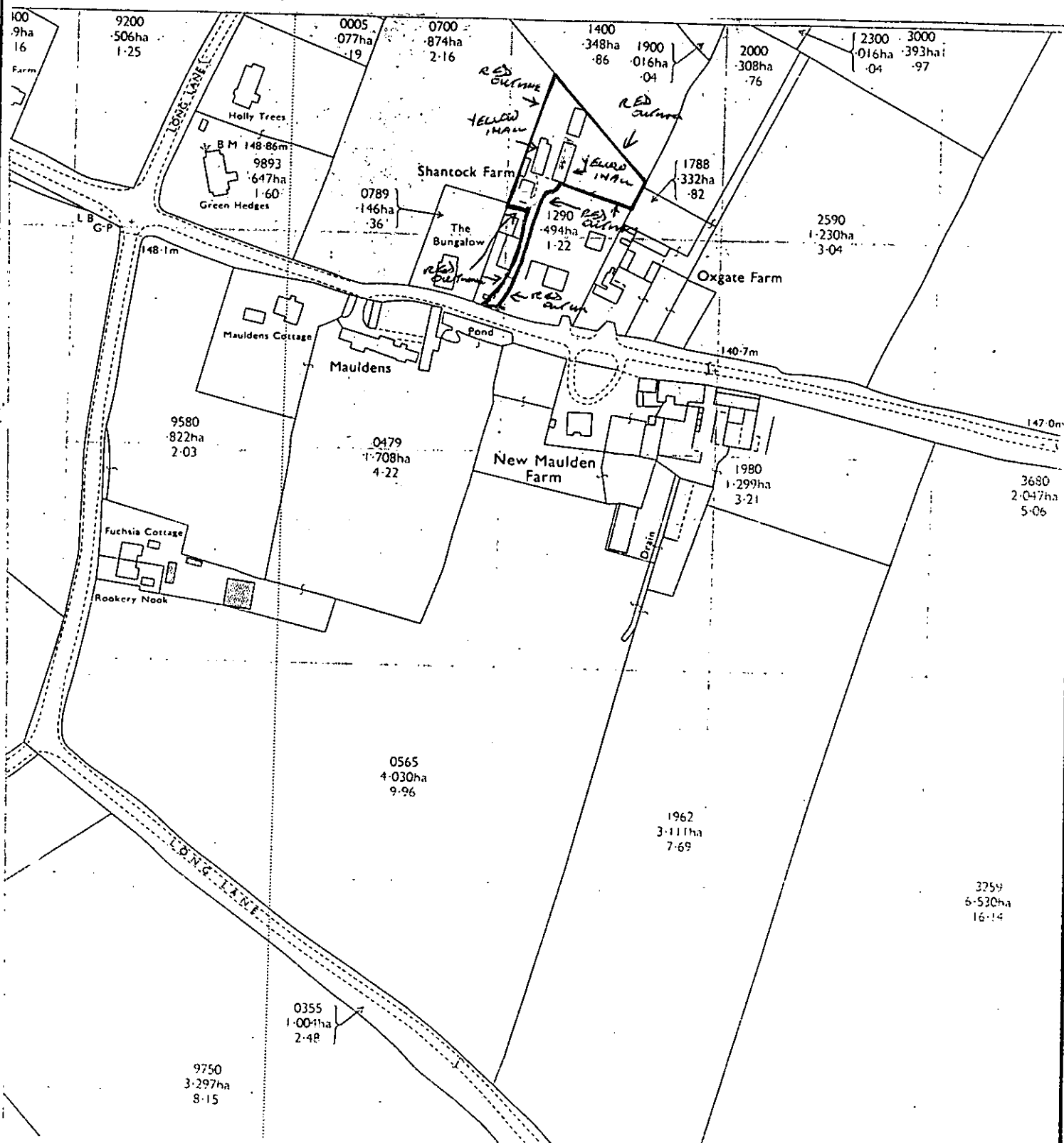
YOUR RIGHT OF APPEAL

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 5th May 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 5th May 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.

SHANTOCK POULTRY FARM, VENUS HILL, BOVINGDON.



PLAN REFERRED TO IN ENFORCEMENT NOTICE DATED

SCALE: 1 : 2500

APPLICATION No.

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