



**BOROUGH OF
BROXBOURNE**

www.broxbourne.gov.uk

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

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

ENFORCEMENT NOTICE

Issued by: Broxbourne Borough Council ("the Council")

1. **THIS IS A FORMAL NOTICE** which is issued by the Council because it appears to it that there has been a breach of planning control, under Section 171A(1)(a) of the above Act, at the land described below. It considers that it is expedient to issue this notice, having regard to the provisions of the development plan and to other material planning considerations. The Annex at the end of the notice and the enclosures to which it refers contain important additional information.

2. **THE LAND TO WHICH THIS NOTICE RELATES**

Spring Farm Bungalow, Old Park Ride, Waltham Cross, Hertfordshire, EN7 5HU shown edged red on the attached plan.

3. **THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL**

Without planning permission material change of use of the land from agricultural to residential and the erection of a single storey building used as a dwellinghouse, laying of a raised hardstanding and erection of a further single storey building used as storage. Also, carrying out of engineering operations which have facilitated the installation of an underground water tank for a water sprinkler system.

4. REASONS FOR ISSUING THIS NOTICE

It is considered that the material change of use of the land from agricultural to residential including the operational development commenced within the last 4 years.

- 4.1 As part of the change of the use of the land from agricultural to residential use unauthorised development of the land has taken place. It is considered expedient to commence formal enforcement action as planning permission for such change of use of the land and development in this Green Belt location would not be granted as it seriously detracts from the character and appearance of the Green Belt contrary to Policies GBC2, GBC6, GBC12 and GBC16 of the Borough of Broxbourne Local Plan Second Review 2001-2011, the National Planning Policy Framework and the Planning Policy Guidance 2.
- 4.2 The unauthorised development fails to protect the open character of the Green Belt and is materially harmful to the visual amenities of the area. The unauthorised development is contrary to Policies GBC2, GBC6 and GBC16 of the Borough of Broxbourne Local Plan Second Review 2001-2011 and Policy GB1 of the Draft Broxbourne Local Plan 2016. In addition the development is contrary to the aims and objectives of Part 9 of the National Planning Policy Framework.
- 4.3 The material change of use and unauthorised development are considered inappropriate development in this Green Belt location resulting in harm to the Green Belt. It is considered that no very special circumstances to justify this inappropriate development exist that would outweigh the harm caused.
- 4.4 The statutory definition of development includes the making of any material change in the use of land and engineering and other operations. The making of material changes in the use of the land and carrying out of such operations are inappropriate development unless they maintain openness and do not harm the visual amenities of the Green Belt. However the unauthorised material change of use of the land and resultant development are considered inappropriate.
- 4.5 Having regard to the authorised development, under planning permission ref. 07/16/1333/F being carried out on the land it is considered that the compliance period of 1 year is sufficient for the completion and full occupancy of the dwellinghouse therein approved and unauthorised residential use of the land subject of this notice to cease and all unauthorised buildings to be removed.

5. WHAT YOU ARE REQUIRED TO DO

- (i) Cease residential use of the land, shown edged green on the attached plan, by:
 - (a) Removal of single storey outbuilding used as a dwellinghouse; and
 - (b) Removal of raised hardstanding; and
 - (c) Removal of single storey outbuilding used as storage; and

- (ii) Return the land to open grass land; and
- (iii) Remove from the land all rubble, rubbish or debris arising from compliance with (i) and (ii) above.

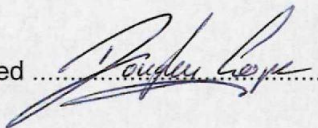
6. **TIME FOR COMPLIANCE**

1 calendar year after this notice takes effect.

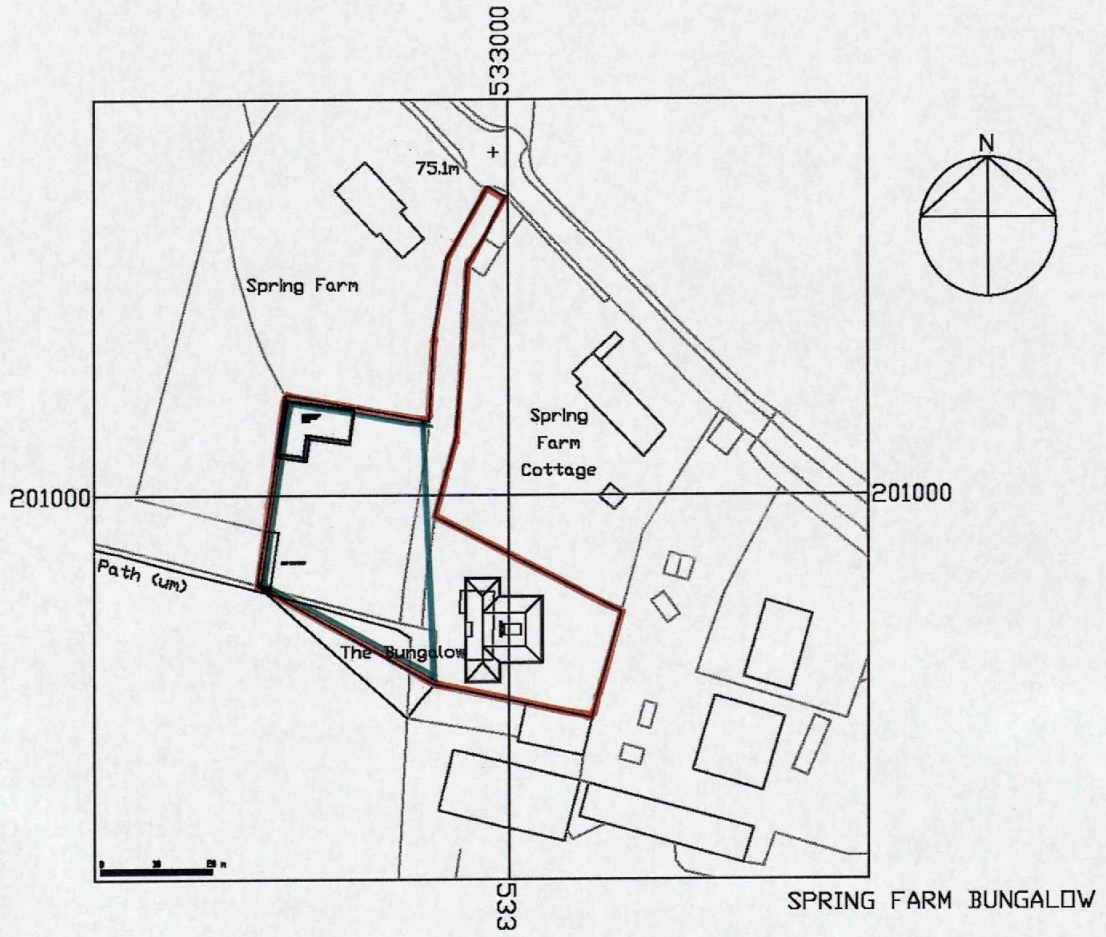
7. **WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect on **10th May 2017** unless an appeal is made against it beforehand.

Dated *3rd April 2017*

Signed 

Douglas C Cooper
Head of Planning Department
Borough of Broxbourne
Bishops College, Churchgate
Cheshunt, EN8 9XE





The Planning Inspectorate

CST Room 3/05 Direct Line 0117-372 6372
 Temple Quay House
 2 The Square Switchboard 0117-372 8000
 Temple Quay Fax No 0117-372 8782
 Bristol BS1 6PN

www.planning-inspectorate.gov.uk

THIS IS IMPORTANT

If you want to appeal against this enforcement notice you can do it in writing:-

- on-line at the Planning Casework Service area of the Planning Portal (www.planningportal.gov.uk/pcs); or
- by getting enforcement appeal forms by phoning us on 0117 372 6372 or by emailing us enquiries@pins.gsi.gov.uk

You MUST make sure that we receive your appeal before the effective date on the enforcement notice.

In exceptional circumstances you may give notice of appeal by fax or letter. You should include:-

- the name of the local planning authority;
- the site address;
- your address; and
- the effective date of the enforcement notice.

We MUST receive this before the effective date on the enforcement notice. This should **immediately** be followed by your completed appeal forms.

A copy of the booklet 'Guide to taking part in enforcement appeals' is available free of charge from the Planning Portal website. The booklet provides information on the various grounds of appeal.

Guide to taking part in enforcement appeals proceeding by written representations
http://www.planningportal.gov.uk/uploads/pins/taking-part_enforcement-written.pdf

Guide to taking part in enforcement appeals proceeding by a hearing
http://www.planningportal.gov.uk/uploads/pins/taking-part_enforcement-hearing.pdf

Guide to taking part in enforcement appeals proceeding by an inquiry
http://www.planningportal.gov.uk/uploads/pins/taking-part_enforcement-inquiry.pdf

Further information regarding appeals can be found using the following link
<http://www.planningportal.gov.uk/planning/appeals/online/makeanappeal>

Copies of the 'How to complete your enforcement appeal form' booklet is available via
http://www.planningportal.gov.uk/uploads/pins/enforcement_making_your_appeal.pdf