



## **IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY**

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

# **ENFORCEMENT NOTICE**

**OPERATIONAL DEVELOPMENT AND CHANGE OF USE**

**ISSUED BY: Broxbourne Borough Council (“the Council”)**

**1. THIS IS A FORMAL NOTICE** issued by the Council because it appears to them that there has been a breach of planning control, within paragraph (a) of 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. The Annex at the end of the notice and the enclosures to which it refers contain important additional information.

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

Land at 1 Gold Close, Broxbourne, Hertfordshire, EN10 7TJ, shown edged in red on the attached plan (Plan 1).

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

Without planning permission, the erection of a brick boundary wall and gates, in the approximate position marked in purple on the attached Plan 2 in order to enclose open amenity land within the residential garden of 1 Gold Close.

**4. REASONS FOR ISSUING THIS NOTICE**

It appears to the Council that the breach of planning control was erected within the last 4 and 10 years.

Planning permission was refused to retain the wall and gates, which are approximately 2.07m tall, (reference 07/20/1129/F) which facilitate the change of use of open amenity land to part of the residential garden of 1 Gold Close. The reason for refusal was as follows:

*The proposed development would negatively impact the visual appearance, character and biodiversity of the area by the reduction of amenity space. It would not comply with Policies DSC1, DSC2, EQ1, ORC3, and NEB1 of the Broxbourne Local Plan 2018-2033. Together these seek to high quality design and the presumption in favour of amenity spaces which contributes to the character, appearance and biodiversity of the general area.*

The refusal was upheld at appeal (reference APP/W1905/D/21/3272568) with the Inspector citing policies DSC1, DSC2, and ORC3 and the wall and use not being sustainable development in their decision.

The Council do not consider that planning conditions could overcome the objections to the development.

## 5. WHAT YOU ARE REQUIRED TO DO

- (i) Cease the use of the land as part of the private garden of 1 Gold Close
- (ii) Remove the wall and gates, including any posts or supports, from the position marked purple on Plan 2.
- (iii) Reinstate the previous boundary line between the garden of 1 Gold Close and the amenity land in accordance with the Town and Country Planning General Permitted Development Order 2015 (as amended) Schedule 2, Part 2, Class A.
- (iv) Remove any resultant debris from the land.

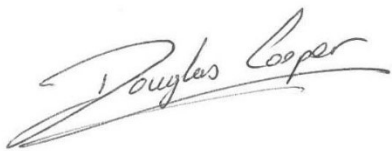
## 6. TIME FOR COMPLIANCE

- Step (i) – 1 week from the date this Notice takes effect  
Step (ii) – 4 weeks from the date this Notice takes effect  
Step (iii) – 8 weeks from the date this Notice takes effect  
Step (iv) – 10 weeks from the date this Notice takes effect

## 7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 25 November 2021, unless an appeal is made against it beforehand.

Dated: 25 October 2021



Signed:

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

## WHO THIS ENFORCEMENT NOTICE IS SERVED ON:

- Akinkunmi Oladiji Ajagbe of 1 Gold Close, Broxbourne, EN10 7TJ
- Rasidat Oluwatoyin Ajagbe of 1 Gold Close, Broxbourne, EN10 7TJ
- George Wimpey North London Limited (Co. Regn. No. 1160327) of Gate House, Turnpike Road, High Wycombe, Buckinghamshire, HP12 3NR
- Bank of Scotland Plc (Scot.Co.Regn.No SC327000) of Halifax Division, 1 Lovell Park Road, Leeds, LS1 1NS

## **ANNEX**

### **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 Planning Inspectorate acting on behalf of the Secretary of State before the date specified in paragraph 7 of the notice. The enclosed information sheet published by the Planning Inspectorate gives details of how to make an appeal  
<http://www.planningportal.gov.uk/uploads/pins/eninfosheet.pdf>

### **WHAT HAPPENS IF YOU DO NOT APPEAL**

If you do not appeal against this enforcement notice, it will take effect on the date specified in paragraph 7 of the notice 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 paragraph 6 of the notice. Failure to comply with an enforcement notice which has taken effect can result in prosecution and/or remedial action by the Council.

Customer Support Team  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol  
BS1 6PN  
Direct Line: 0303 444 5000  
Email: [enquiries@planninginspectorate.gov.uk](mailto:enquiries@planninginspectorate.gov.uk)

## THIS IS IMPORTANT

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

- online at the [Appeals Casework Portal](#); or
- sending us enforcement appeal forms, which can be obtained by contacting us on the details above.

**You MUST make sure that we RECEIVE your appeal BEFORE the effective date on the enforcement notice.**

Please read the appeal guidance documents at <https://www.gov.uk/appeal-enforcement-notice/how-to-appeal>.

In exceptional circumstances you may give written notice of appeal by letter or email. You should include the name and contact details of the appellant(s) and either attach a copy of the Enforcement notice that you wish to appeal or state the following:

- the name of the local planning authority;
- the site 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.