



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 MATERIAL CHANGE OF USE

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**

1 King Arthur Court, Cheshunt, Hertfordshire, EN8 8EH shown edged red on the attached plan.

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

Without planning permission change of use of the amenity land (shown hatched green on the attached plan) to residential garden enclosed by a fence and erection of an outbuilding.

4. REASONS FOR ISSUING THIS NOTICE

- 4.1 It appears to the Council that the above breach of planning control has occurred in the 10 years regarding material change of use with operational development being part and parcel of that change.
- 4.2 The loss of this green open space, as public amenity land, enclosed by a 2m high fence, is harmful to the character, appearance and visual amenity of the area enjoyed generally from a public perspective within the wider street scene. As such the unauthorised development is contrary to Policies HD17 and HD21 of the Borough of Broxbourne Local Plan Second Review 2001-2011 (adopted 2015), the Council's Supplementary Planning guidance (adopted 2004, updated 2013), and Policy ORC4 of the Emerging Local Plan.
- 4.3 The unauthorised development has created an obtrusive structure whose presence has resulted in a harmful hardening in the street scene's appearance and detracts from the visual amenity. By reason of its size, siting and design is unduly prominent and therefore detrimental to visual amenity in the street scene. As such the development is contrary to Policies H6, H8, HD13 and HD14 of the Borough of Broxbourne Local Plan Second Review 2001-2011 (adopted 2015), the Council's Supplementary Planning guidance (adopted 2004, updated 2013) and Policies DSC1 and DSC3 of the Emerging Local Plan.
- 4.4 The unauthorised development does not constitute sustainable development by reason of its design. Further, it is in contrary to the fourth core planning principle referred to in paragraph 17 of the National Planning Policy Framework as it fails to secure high quality design and a good standard of amenity.

5. WHAT YOU ARE REQUIRED TO DO

- (i) Cease the use of the amenity land as residential garden shown hatched green on the attached plan; and
- (ii) Remove all structures, including plastic shed, from the land hatched green on the attached plan; and
- (iii) Remove the close boarded timber fence together with the concrete posts and gravel boards as shown in blue on the attached plan; and
- (iv) Reinstate boundary wall to its pre-development condition as shown in the photograph at Appendix 'A' of this notice.
- (v) Permanently remove from the land all rubble, rubbish or debris arising from compliance with the above.

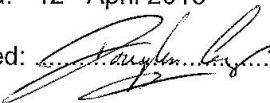
6. **TIME FOR COMPLIANCE**

1 months after this notice takes effect.

7. **WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect on **13th May 2018** unless an appeal is made against it beforehand.

Dated: 12th April 2018

Signed: 

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

WHO THIS ENFORCEMENT NOTICE IS SERVED ON:

- Mr Robert Franklin Williams and Clare Louise Vinton, 1 King Arthur Court, Cheshunt, Hertfordshire, EN8 8EH
- The Owner/Occupier, 1 King Arthur Court, Cheshunt, Hertfordshire, EN8 8EH

