



## **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**

**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 45 Barrow Lane, Cheshunt, Hertfordshire, EN7 5LT shown edged in red on the attached plan.

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

Without planning permission the erection of a porch and a front boundary wall over 2 metres in height

**4. REASONS FOR ISSUING THIS NOTICE**

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

A planning application was submitted for the retention of “a front porch and boundary brick wall” (reference 07/21/0617/HF) and this was subsequently refused.

The reasons for refusal were:

*By reason of the design and scale of the proposed porch and intrusive nature of the proposed boundary treatment, there is a detrimental impact on both the parent building, the amenity and outlook of the adjoining properties, and on the openness of the general neighbourhood. This is exacerbated by the choice of brick colour which fails to complement the hose dwelling. As such proposal is contrary to the provisions of Policy DSC1 and EQ1 of the Borough of Broxbourne Local Plan 2018-2033, and the NPPF which seeks to ensure development is sympathetic to the local character including surrounding built environment and landscape setting.*

The wall, by virtue of its height, cannot be considered permitted development.

The porch, by virtue of the materials used, cannot be considered permitted development.

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

## **5. WHAT YOU ARE REQUIRED TO DO**

- (i) Reduce the height of the front boundary wall, including pillars, so that it does not exceed 1 metre in height in accordance with the Town and Country Planning (General Permitted Development) Order 2015 Schedule 2, Part 2, Class A
- (ii) Remove the porch from the land in its entirety
- (iii) Remove any resultant debris from the land

## **6. TIME FOR COMPLIANCE**

Step (i) – 4 weeks from the date this Notice takes effect

Step (ii) – 8 weeks from the date this Notice takes effect

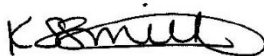
Step (iii) – 12 weeks from the date this Notice takes effect

## **7. WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on 6 February 2022, unless an appeal is made against it beforehand.

Dated: 6 January 2022

Signed:



Katie Smith  
Assistant Director - Place  
Borough of Broxbourne  
Bishops College, Churchgate, Cheshunt, EN8 9XE

WHO THIS ENFORCEMENT NOTICE IS SERVED ON:

- Jermaine Marcus Smart of 45 Barrow Lane, Cheshunt, Hertfordshire, EN7 5LT
- The Owner/Occupier of 45 Barrow Lane, Cheshunt, Hertfordshire, EN7 5LT

**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.