



**IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY**

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

# **ENFORCEMENT NOTICE**

## **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 Limes Nursery, Hammondstreet Road, Cheshunt, EN7 6PG, shown edged in red on the attached plan.

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

Without planning permission, the change of use from horticultural nursery to storage, including storage of steel containers, vehicles, and vehicle parts.

**4. REASONS FOR ISSUING THIS NOTICE**

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

The site is a former horticultural nursery located within the Green Belt and the Council has recently resolved to grant outline planning permission for the redevelopment of the wider site for the provision of dwellings. It is bordered by public playing fields to the west, open fields to the north and east, and Hammondstreet Road and residential dwellings to the south.

The use is, as defined in the National Planning Policy Framework, inappropriate development as it does not meet any of the exceptions provided within the NPPF.

The site is immediately opposite residential dwellings and no mitigation against resulting noise, dust, or poor visual outlook has been offered or provided. There are no

limitations regarding hours of operation which could result in disturbances at unsociable hours.

The site is highly visible from the public highway, adjacent public playing fields, and the use has an adverse impact on the visual amenity of the locality.

It has not been demonstrated that the expanse of hard surfacing provides any drainage or surface water management or that surface water will be managed within the site rather than being discharged onto the public highway.

The site access is sufficiently wide for a single vehicle to enter or exit the site, but there is insufficient space within the side for two vehicles, particularly large vehicles, to pass and no turning or waiting areas are evident. No evidence that the use does not adversely impact the highway network has been provided.

The change of use to an open storage is contrary to the National Planning Policy Framework and policies GB1, CS2, EQ1, EQ4, TM2, DSC1, and W4 of the Broxbourne Local Plan 2018 – 2033 (adopted 2020).

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 for the purposes of storage
- (ii) Remove all steel containers from the land
- (iii) Remove all vehicles, and vehicles parts stored on the land
- (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) – 2 months from the date this Notice takes effect

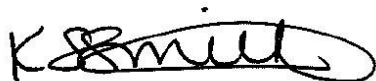
Step (iii) – 2 months from the date this Notice takes effect

Step (iv) – 3 months from the date this Notice takes effect

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

This notice takes effect on 26<sup>th</sup> May 2022 unless an appeal is made against it beforehand.

Dated: 26<sup>th</sup> April 2022



Signed:

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

WHO THIS ENFORCEMENT NOTICE IS SERVED ON:

- Mario Cifaldi of 24 Albion Park, Loughton, IG10 4RB
- Mario Cifaldi of 22 Cussons Close, Cheshunt, Hertfordshire, EN7 6JF
- Antonio Cifaldi of 8B Torre Halcones, Monte Halconse, Benhavis, Malaga, Spain 29679
- Antonio Cifaldi of 22 Cussons Close, Cheshunt, Hertfordshire, EN7 6JF
- Lesley Cifaldi of 22 Cussons Close, Cheshunt, Hertfordshire, EN7 6JF
- County and City Developments Limited (Co. Reg. No. 05701767) of 167 Turners Hill, Cheshunt, Hertfordshire, EN8 9BH
- County and City Developments Limited of 43A High Street, Hoddesdon, Hertfordshire, EN11 8HE
- The Occupier(s) of Limes Nursery, Hammondstreet Road, Cheshunt, Hertfordshire, EN7 6PG

## **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.