



**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)**

BREACH OF CONDITION NOTICE

Served By: Broxbourne Borough Council ("the Council")

Copies of the Notice served on:

- London North RT Ltd (Co. Regn. No. 12503145) of 1st Floor 87-89 High Street Hoddesdon EN11 8TL
- London North RT Ltd (Co. Regn. No. 12503145) of Sterling House, 2b Fulbourne Road, London, E17 4EE
- Mr Paul Johnson of The Rowan, Faints Close, Cheshunt, EN7 5RG
- Miss Katie Bailey of The Rowan, Faints Close, Cheshunt, EN7 5RG
- Mr William Courtney of The Willow, Faints Close, Cheshunt, EN7 5RG
- Ms Melissa Bazzard of The Willow, Faints Close, Cheshunt, EN7 5RG
- Mr Lawrence Garnett of The Cedars, Faints Close, Cheshunt, EN7 5RG
- Mrs Kingrug Garnett of The Cedars, Faints Close, Cheshunt, EN7 5RG
- Mr Domenico Genco of The Chestnut, Faints Close, Cheshunt, EN7 5RG
- The Owner(s) of The Oak, Faints Close, Cheshunt, EN7 5RG

- 1 **THIS NOTICE** is served by the Council under Section 171A(2)(b) as defined by Section 187A of the above Act because it considers that a condition imposed on a grant of planning permission, relating to the land described in paragraph 2 below, has not been complied with. The Council considers that you should be required to comply with the condition specified in this notice.

The Annex at the end of this notice contains important information.

2 THE LAND TO WHICH THIS NOTICE RELATES

Land at Faints Close, Cheshunt, Hertfordshire, EN7 5RG shown edged red on the attached plan.

3 THE RELEVANT PLANNING PERMISSION(S)

The notice relates to the planning permission granted by the Council on 12th September 2019 under the reference 07/19/0492/O for “outline planning for erection of 5 detached dwellings with access road, car and cycle parking”.

4 THE BREACH OF CONDITION

The condition 10 attached to planning permission reference 07/20/1170/HF has not been complied with –

Condition 10: A landscaping scheme comprising a plan and specification to include significant replacement tree planting and tree protection shall be submitted to and approved by the Local Planning Authority in writing prior to the commencement of any demolition/construction work on the site. It shall be carried out and implemented within 1 year of the commencement of the development or such longer period as may be agreed in writing by the Local Planning Authority. Reason – to enhance the general appearance of the development, in accordance with Policy HD17 of the Local Plan Second Review 2001-2011

5 WHAT YOU ARE REQUIRED TO DO

As the person(s) responsible for the breach of conditions specified in paragraph 4 of this notice, you are required to comply with the stated conditions by taking the following steps:

- (i) Implement, in full, the landscaping showing on drawing number 982.20.1B (copy enclosed)

6 TIME FOR COMPLIANCE

Step (i): No later than 31st March 2024 in order to ensure works are complete by the end of autumn/winter landscaping season

7 DATE OF SERVICE

Dated: 12th October 2023

Signed:



Dr Alison Knight
Director of Place
Borough of Broxbourne
Bishops College, Churchgate, Cheshunt, EN8 9XE

ANNEX

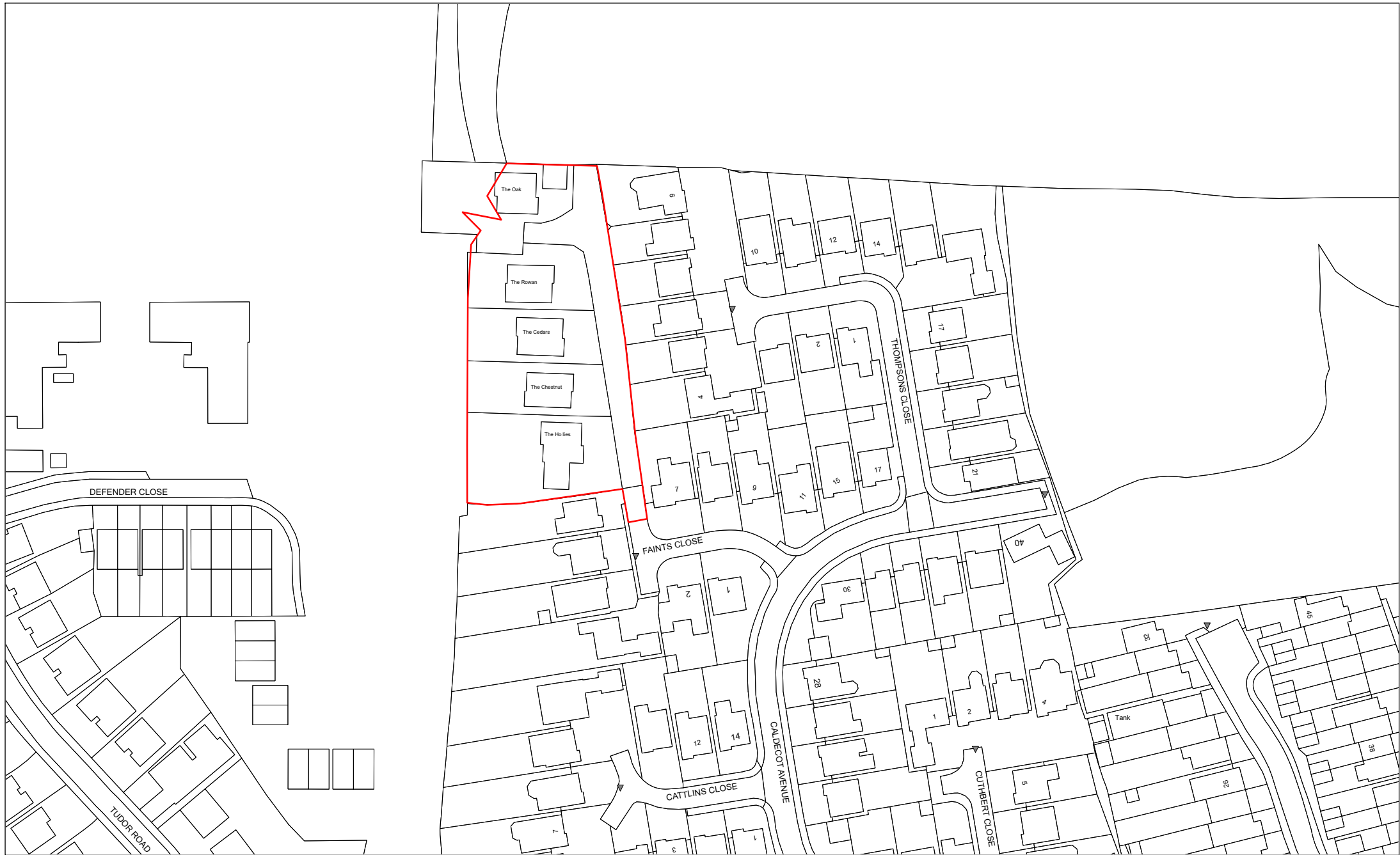
THIS NOTICE TAKES EFFECT *IMMEDIATELY* IT IS SERVED ON YOU IN PERSON OR ON THE DAY YOU RECEIVED IT BY POST

THERE IS NO RIGHT OF APPEAL TO THE SECRETARY OF STATE FOR THE ENVIRONMENT AGAINST THIS NOTICE

It is an offence to contravene the requirements stated in paragraph 5 of this notice after the end of the compliance period. You will then be at risk of **immediate prosecution** in the Magistrates' Court, for which the maximum penalty of Level 3 of Standard Scale for the first offence and for any subsequent offence. If you are in any doubt about what this notice requires you to do, you should get in touch *immediately* with Laura White, Senior Planning Compliance Officer, Bishops College, Churchgate, Cheshunt, Herts. EN8 9XB. Telephone 01992 785555 Ext: 5405.

If you need independent advice about this notice, you are advised to contact a lawyer, planning consultant or other professional adviser specialising in planning matters as a matter of urgency.

If you wish to contest the validity of the notice, you may only do so by an application to the High Court for judicial review. A lawyer will advise you on what this procedure involves.



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Breach of Condition Notice - ENF/23/0066
Land at northern end of Faints Close, Cheshunt

S.Bates / L.White Scale: 1: 1,250

Date: 12 September 2023

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LEGEND

- Existing trees
- New trees
- Shrub
- Mixed native hedge
- New hedge
- New low hedge
- Groundcover planting
- Lawn
- Closeboard fence 1.8m
- Chain link fence 1.2m
- Hoop top rail fence 1m
- Sandstone paving
- Marshalls 'Tegula Priora' paving (Harvest)
- Marshalls 'Tegula Priora' paving (Bunt Ochre)
- Gravel
- Bark mulch
- Schwegler 2F Bat box (x4)
- Schwegler 2FN Bat box (x4)
- Schwegler 1B Nest box (x4)

982.20.1 Faints Close Planting Schedule

Key	Species	Øirth	Pot size	Qty
Ac	Acer campestre 'Elsnik'	12-14cm	45 litre	2
Cp	Carpinus betulus	12-14cm	45 litre	1
Md	Malus domestica	12-14cm	45 litre	5
Pa	Prunus avium	12-14cm	45 litre	4
Pp	Prunus padus	12-14cm	45 litre	2
Sa	Sorbus aucuparia 'Sheerwater Seedling'	12-14cm	45 litre	3
Si	Sorbus x Intermedia 'Brouwers'	12-14cm	45 litre	4
TOTAL				21

MNH - Mixed Native Hedging (1.8). Species mixed at random. 4 plants per metre in double staggered rows.				
%	Species	Pot size	Density	Qty
10	Acer campestre	Bareroot	4/m	40
10	Carpinus betulus	Bareroot	4/m	40
10	Craetagus monogyna	Bareroot	4/m	40
50	Ligustrum vulgare	Bareroot	4/m	200
10	Rosa canina	Bareroot	4/m	40
10	Viburnum opulus	Bareroot	4/m	40
TOTAL				400

Single Species Hedging				
Key	Species	Pot size	Density	Qty
Bs	Buxus sempervirens	2 litre	4/m	75
Ei	Escallonia 'Iveyi'	2 litre	4/m	255
Pl	Prunus lusitana	5 litre	4/m	155
Vt	Viburnum tinus	5 litre	4/m	350
TOTAL				885

Ground Cover and Shrubs				
Key	Species	Pot size	Density	Qty
Cp	Cistus x purpureus	3 litre	4/m	50
Gm	Geranium macrorrhizum 'Ingwersen's Variety'	1 litre	6/m	85
Hp	Hebe pinguifolia	1 litre	6/m	25
La	Lavandula angustifolia 'Hidcote'	1 litre	6/m	55
Sh	Sarcococca 'Humilis'	1 litre	4/m	25
Sj	Skimmia japonica 'Wakehurst White'	1 litre	4/m	20
TOTAL				260

General Planting Specification:
 All PLANTING STOCK SHALL COMPLY WITH the requirements of the British Standards 3838, and shall be healthy, strong with a good shape and strong root system in accordance with the National Plant Specification. The native plants are to be of local provenance and be well labeled. The supply and planting of trees to be in accordance with BS 6842:2014. 'Trees' from nurseries to independence in the landscape. Trees and shrubs are to be lifted only between mid-October and mid-March and to be handled and transported in accordance with relevant codes of practice, with roots kept moist and wrapped to protect them from adverse weather conditions.

All planting operations shall be carried out in accordance with British Standards 4428. Planting pits are to be dug at a size in excess of the roots to allow the roots to be spread out in the pit. All plants are to be planted at their natural depth as they arrived in the nursery.

Imported Topsoil: All imported topsoil is to comply with the current BS3883 (2016), and is to be supplied, stored and spread in accordance with Annex H of the above BS except where otherwise stated in the contract documents. The soil shall be free from perennial weeds, moss and all foreign matter.

Classification: Topsoil GRADE: in accordance with BS 3883:2016 (see above) for all trees and shrub planting and grass areas. It is to be supplied from a named source and named suppliers as approved by the Client's representative. Full certification to be provided for all imported topsoil. If test certificate falls short of the BS3883:2016 the topsoil will be rejected.

Turf: Steady loam or Sandy clay loam
 PH: 6 - 7.5

Contaminants: Do not use topsoil contaminated with asbestos, rubbish or other materials that are:
 - Detrimental to healthy plant growth
 - Corrosive, explosive or flammable
 - Hazardous to human or animal life
 In all areas to receive topsoil, do not use subsoil contaminated with the above materials.

Depth of topsoil: The following depths of topsoil should be supplied and laid:
 I) Tree pits 600mm
 II) Shrub beds 400mm
 III) Grass 150mm

Tree and large shrubs: 40 litres of peat free tree planting compost is to be incorporated in the backfill of all tree pits. These are to be mixed with double low ash, 1000mm long, 750mm into the ground and the tree secured by one tree tie. All trees are to be mulched 1 metre diameter round the tree with 75mm deep with medium grade bark mulch.

Hedging and shrub beds: excavate 450mm deep and break up the base of the planting beds. Plants are to be planted 400mm deep topsoil in accordance with BS 3882. Cultivate to this depth and incorporate 100mm of approved compost. Supply plants in accordance with BS 3838 and plant in accordance with BS 4428. Plant firmness, excavate and install native hedging in double staggered rows, supply and lay medium grade ornamental bark mulch 70mm deep to all shrub beds.

Grass: cultivate areas and provide topsoil if required for minimal 150mm depth, cultivate to fine till. All stones greater than 38 mm in any one dimension shall be sorted off site to tip.

Turf: Rectangular cut meadow turf to be supplied in rolls, not dried out or yellowed. Turf will be laid on the day of delivery, to be uncramped and laid from suitably sized running board. Turf green on any nylon matting will not be accepted. Lay turf in similar board close butted, and make good joints with sward aerotopsoil. The finished level of the turf to be 50mm higher than hard surfaces. Water in.

Grass seeds: to be spread in two directions at a rate in accordance with the suppliers instruction or if not specified at 50 grams per square metre. Grass seed areas to be lightly raked to ensure seed is evenly incorporated into the upper 10mm of soil.

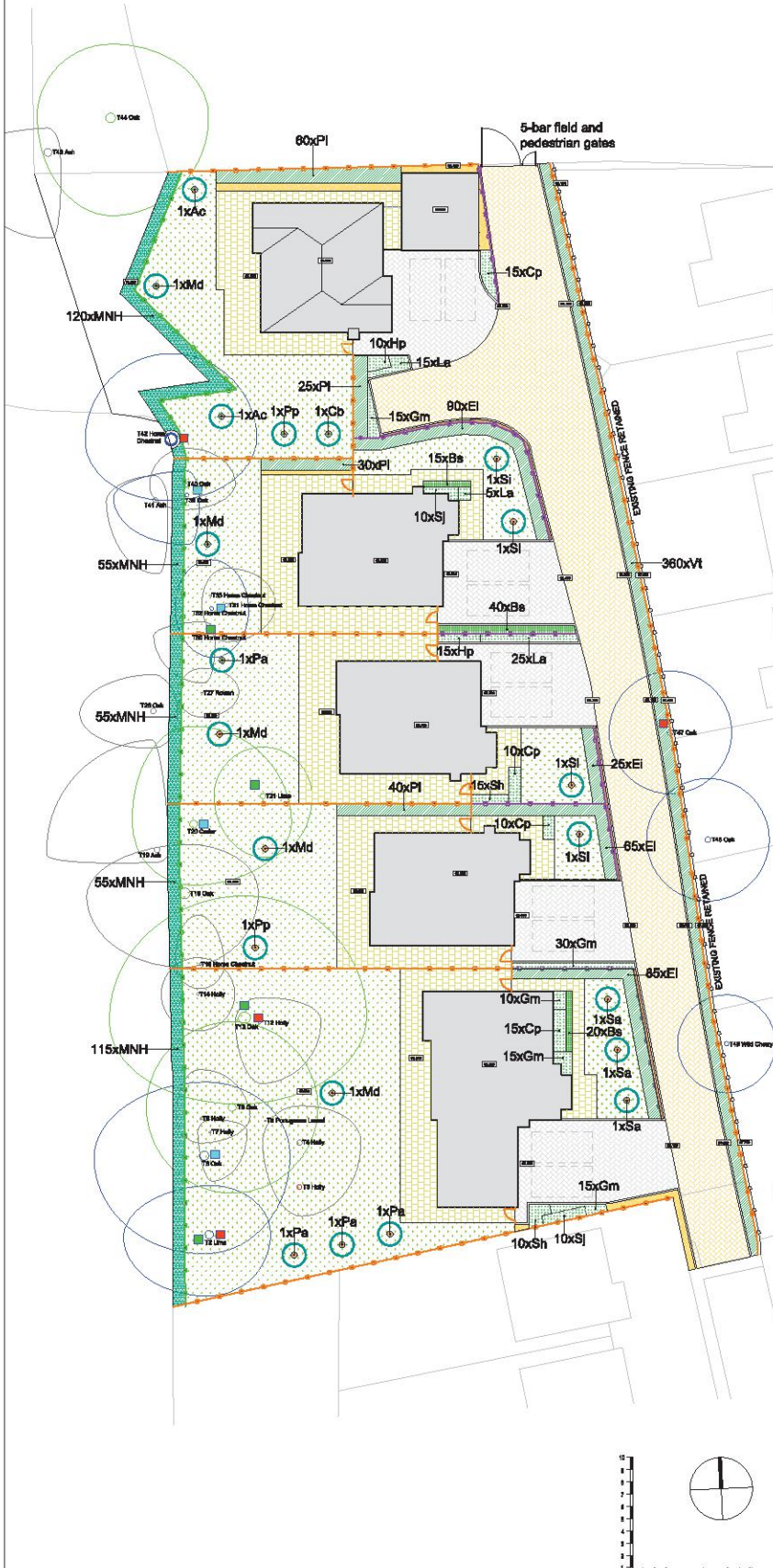
Maintenance
 All plants are to be maintained until established. Shrub beds are to be kept weed free. Any additional weed growth round the base of the plant removed. The backfill is to be topped up annually to 75mm and the planting beds kept free of litter. Face bark shrub coverings hard surfaces.

Hedging: hedges to be clipped evenly at least once a year and to a consistent height according to species:
 - Mixed native hedges: 8m
 - Prunus lusitana and Viburnum tinus: 1.8m
 - Escallonia 'Iveyi': 1m
 - Buxus sempervirens: 600mm

Watering: water ribbed planting and hedges in dry periods at a rate of 10 litre per square metre.

Annual Maintenance for Trees:
 - All plants are to be maintained until established.
 - Maintain a 5 metre diameter surround to trees free from grass, weeds and rubbish at all times.
 - Newly-planted trees are to be watered during April-September.
 - The intervals between watering is to be fortnightly with additional water if there has not been rainfall within a weekly period.
 - Trees should be watered below monthly during the summer months for the first 2 years unless there is adequate rainfall to fully hydrate the surrounding ground.
 - Fork over perennials down areas.
 - Maintain mulched areas at specified depth, topping up as necessary to maintain a 75 mm cover.
 - Check snail and slug traps and adjust, re-fill or reset as necessary to ensure that no damage occurs to any tree and check each trap to see if any snails or slugs are present.
 - Check that each tree is growing healthily and remove all dead wood, damaged or diseased branches. Remove any suckering shoots growing from the clear stem. Prunings to be removed off site to the contractor's tip.
 - Any weeds shall be neatly mowed back to sward level in accordance with BS 5588:2010 'Recommendations for Tree Work'. Re-fill trees which have been loosened by the wind or frost.
 - Remove all rubbish and litter after two years or after the trees have rooted successfully.

Replacement Planting:
 Replace any tree or plant within a five-year period that fails to thrive or is below specification. Any grass areas that fail shall be re-turfed or re-seeded in accordance with the specification.



Revision B: Section of fence at entrance removed. Date: 14/08/2020
 Revision A: Plot 5 boundary adjusted to match Title Plan. Pedestrian gate added. Date: 20/08/2020

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 Tel 01279 722381 mobile 07746857402, email ms.ingreenwood@gml.com

Schema: **Faints Close**
 Title: **Landscape Proposals**
 Scale: **1:200 @ A1**

Date: **July 2020**
 Drawn by: **R.E.**
 Issued: **982.20**
 Draw No: **982.20.1B**